

# Public Document Pack



Town Hall, Upper Street, London, N1 2UD

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## AGENDA FOR THE EXECUTIVE

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Members of the Executive are summoned to attend a meeting to be held in the Council Chamber, Islington Town Hall, Upper Street, N1 2UD on **20 July 2023 at 7.00 pm.**

Enquiries to : Mary Green  
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Despatched : 12 July 2023

### **Membership**

Councillor Kaya Comer-Schwartz  
Councillor Diarmaid Ward

Councillor Una O'Halloran  
Councillor Rowena Champion

Councillor John Woolf  
Councillor Santiago Bell-Bradford  
Councillor Nurullah Turan  
Councillor Michelline Safi Ngongo

Councillor Roulin Khondoker

### **Portfolio**

Leader of the Council  
Executive Member for Finance, Planning and Performance  
Executive Member for Homes and Communities  
Executive Member for Environment, Air Quality and Transport  
Executive Member for Community Safety  
Executive Member for Inclusive Economy and Jobs  
Executive Member for Health and Social Care  
Executive Member for Children, Young People and Families  
Executive Member for Equalities, Culture & Inclusion

### **Quorum is 4 Councillors**

#### Please note

It is likely that part of this meeting may need to be held in private as some agenda items may involve the disclosure of exempt or confidential information within the terms of Schedule 12A of the Local Government Act 1972. Members of the press and public may need to be excluded for that part of the meeting if necessary.

Details of any representations received about why the meeting should be open to the public - none

## Declarations of interest:

If a member of the Executive has a **Disclosable Pecuniary Interest\*** in an item of business and it is not yet on the council's register, the Councillor **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent. Councillors may also **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency. In both the above cases, the Councillor **must** leave the room without participating in discussion of the item.

If a member of the Executive has a **personal** interest in an item of business they **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but may remain in the room, participate in the discussion and/or vote on the item if they have a dispensation from the Chief Executive.

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

**NOTE:** Public questions may be asked on condition that the Chair agrees and that the questions relate to items on the agenda. No prior notice is required. Questions will be taken with the relevant item.

Requests for deputations must be made in writing at least two clear days before the meeting and are subject to the Leader's agreement. The matter on which the deputation wants to address the Executive must be on the agenda for that meeting.

### A. **Formal matters**

1. Apologies for absence
2. Declarations of Interest
3. Minutes of previous meeting 1 - 6

### B. **A safe place to call home**

1. Purchase of 100 ex-Right to Buy properties 7 - 14

2.	Housing Allocations scheme	15 - 142
3.	New Temporary Accommodation framework	143 - 188
4.	Contract award for Harvist Estate and St Luke's Estate lift modernisations	189 - 222
5.	Designating the wards of Finsbury Park, Tollington and Hillrise for Selective Property Licensing	223 - 432
6.	Confirmation of Article 4 Directions to withdraw Permitted Development Right for Change of Use from Class E to Dwellinghouses (Class MA)	433 - 466

**C. Greener, healthier borough**

1.	Procurement strategy - RE:FIT procurement framework for Net Zero Carbon projects for public buildings	467 - 510
2.	Procurement strategy for fleet replacement programme	511 - 550
3.	Allocation of the Public Health Supplementary Substance Misuse Treatment and Recovery Grant 2023-24	551 - 572

**D. Urgent non-exempt matters**

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**E. Exclusion of the press and public**

To consider whether to exclude the press and public during discussion of the remaining items on the agenda, in view of their confidential nature, in accordance with Schedule 12A of the Local Government Act 1972.

**F. Confidential / exempt items for information**

1.	Contact award for lift renewals at Harvist Estate and St Luke's Estate - exempt appendix	573 - 576
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**G. Urgent exempt matters**

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

The next meeting of the Executive will be on 7 September 2023

### **WEBCASTING NOTICE**

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# Agenda Item 3

London Borough of Islington

## Executive - 22 June 2023

Minutes of the meeting of the Executive held in Committee Room 1, Islington Town Hall, Upper Street, N1 2UD on 22 June 2023 at 7.00 pm.

**Present:**                    **Councillors**    Kaya Comer-Schwartz, Diarmaid Ward, Una O'Halloran, Rowena Champion, John Woolf, Santiago Bell-Bradford, Nurullah Turan, Michelline Ngongo and Roulin Khondoker

### **Councillor Kaya Comer-Schwartz in the Chair**

120     **APOLOGIES FOR ABSENCE**  
None.

121     **DECLARATIONS OF INTEREST**  
None.

122     **MINUTES OF PREVIOUS MEETING**

**RESOLVED:**

That the minutes of the meeting held on 18 May 2023 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

123     **APPOINTMENT TO VOLUNTARY AND COMMUNITY SECTOR COMMITTEE**

**RESOLVED:**

That Councillor Phil Graham be appointed as an observer to the Voluntary and Community Sector Committee, to replace Councillor Asima Shaikh, who had stepped down, for the municipal year 2023/2024, or until a successor was appointed.

Reasons for the decision – to ensure that membership of the Committee was complete.

Other options considered – none

Conflicts of interest/ dispensations granted – none

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**BUDGET MONITORING 2022/23 PROVISIONAL OUTTURN**

**RESOLVED:**

- (a) To note the breakdown of the forecast General Fund outturn by variance at Appendix 1 and service area at Appendix 2 of the report of the Executive Member for Finance, Planning and Performance.
- (b) To note the overall 2022/23 General Fund net break-even position after application of reserves and contingencies.
- (c) To approve the inter-departmental virements as at month 12, detailed in Appendix 2 of the report.
- (d) To agree the creation of new reserves, the outturn transfers to/from reserves, the movements between reserves and the provisional General Fund and HRA reserves balances, and to delegate authority to the Section 151 Officer to agree any further movements to/from reserves related to finalising the 2022/23 Statement of Accounts.
- (e) To agree the drawdowns from the corporate transformation fund in 2022/23.
- (f) To note the Collection Fund monitoring position at month 12.
- (g) To note the Energy Price Analysis summary as at month 12.
- (h) To note progress on delivering the 2022/23 savings.
- (i) To note the HRA in-year deficit of (+£12.987), fully funded from a lower contribution to HRA reserves than planned in the original budget.
- (j) To note the 2022/23 capital outturn and financing of the 2022/23 capital programme.
- (k) To approve the re-profiling of the 2022/23 capital outturn budget variances into the 2023/24 capital programme, with the exception of variances that are underspends rather than reprofiling in nature, and to delegate authority to the Section 151 Officer to agree any further capital financing adjustments related to finalising the 2022/23 Statement of Accounts.

Reasons for the decision – to ensure the financial resilience of the Council

Other options considered – none

Conflicts of interest / dispensations granted – none.

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**PROPOSAL ON THE FUTURE OF POOLES PARK PRIMARY SCHOOL**

A number of members of the public asked questions about the proposals in the report which were responded to by the Executive Member for Children, Young People and Families and officers. A member of the public queried why a document submitted by a member of staff at the School in response to the consultation and relating to financial data on pupil numbers had not appeared in Appendix B to the report. The Corporate Director for Children and Young People undertook to look into this.

All present were reminded that the Council remained keen to hear from parents, staff and interested parties in response to the consultation.

**RESOLVED:**

(a) That the responses to the consultation on the future of Pooles Park Primary School, as detailed in the report of the Executive Member for Children, Young People and Families, be noted.

(b) To proceed with the proposal to close Pooles Park Primary School to address the significant decline in pupil numbers, if the Department for Education do not identify an academy sponsor, and on the basis that the Executive makes a series of commitments set out at resolution (d) below to address the significant concerns and issues raised during the consultation.

(c) To issue a statutory notice of the proposal, attached as a draft at Appendix D to the report

(d) Based on the feedback received during the consultation, that approval be given to the following commitments:

1. To offer individual support to pupils and their families with transition from the point a decision is taken through to the settling into a new school

2. To work with local headteachers of nearby Islington schools to support the School and its families, noting that there were places available for every child at Pooles Park in nearby Islington schools, all of which would provide this support should the proposal to close proceed.

3. To work in partnership with a local group to develop the community garden into a Forest School provision which could be accessed by local Islington schools in the area as part of their curriculum offer during school time.

4. To develop a clear plan for the ongoing use and management of the garden also as a community garden.

5. To carefully consider the long-term future of the Pooles Park Primary School site and how it could be retained for educational and community purposes.

Reasons for the decision – Surplus capacity at the School meant that the School could not remain financially viable. The Hornsey Planning Area had the second highest rate of vacancies in Islington and Pooles Park had the highest surplus capacity of all schools in the Planning Area.

Other options considered – none

Conflicts of interest / dispensations granted – none

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**LETTING OF PLATFORM, THE LAUNDRY, HORNSEY ROAD BATHS, 2 TILTMAN PLACE, ISLINGTON, LONDON N7 7EE**

**RESOLVED:**

(a) That the Corporate Director for Community Wealth Building be authorised to grant an underlease of Platform the Laundry Hornsey Road on the terms set out in exempt Appendix 2 of the report of the Executive Member for Finance, Planning and Performance and following consultation with the Corporate Director of Resources and Corporate Director, Children and Young People.

(b) That the Corporate Director of Community Wealth Building be authorised make any decisions on non-material amendments to the detailed underlease term.

Reasons for the decision – The letting removed a significant financial pressure for the Council, whilst ensuring the building remained in use, both supporting an education organisation and the wider creative arts community in the Borough.

Other options considered – none

Conflicts of interest / dispensations granted – none.

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### **REDEVELOPMENT OF FINSBURY LEISURE CENTRE**

Members of the public asked a number of questions about the number and size of homes to be built, how many of these would be Council homes and which facilities would be available to local schools and the community until the football pitches were completed. Members of the public were assured that any issues of overlooking and proximity of the football pitches to homes would be looked at by Planning Department. Members of the public were encouraged to respond to the formal consultation on the planning application in due course.

#### **RESOLVED:**

That, subject to ongoing gateway reports and financial viability assessments, to:

- a) approve commitment of up to £6.75m for fees and Pre-Construction Service Agreement costs up until the end of design stage 3, including amounts already spent as described in Appendix 1 to the report of the Executive Member for Finance, Planning and Performance, and summarised in Table 1, which represented an increase of £2.85m.
- b) approve an increase in the capital budget of £2.65m in respect of fees up to design stage 2, reflecting an increase in budget from £1.6m to £4.25m funded by £0.200m from reduced costs of RIBA stage 3-4 and £2.450m additional borrowing.
- c) approve the Council entering into a Pre-Construction Service Agreement, with an estimated value of £0.9m, subject to contract.
- d) note that additional Executive approval would be sought prior to submission of a planning application and prior to award of a construction contract.
- e) note that the current estimated scheme cost through to construction was estimated at £131.757m (excluding optimism bias) and that there would be a need for additional funding to meet the optimism bias and this amount would be confirmed once a full assessment had taken place.

Reasons for the decision – The redevelopment of Finsbury Leisure Centre aimed to replace the existing leisure centre with new leisure facilities and 200 new homes, of which 100 would be council homes. This was an increase on the 176 home scheme proposed at the point of the last report to Executive. The scheme created a masterplan for the whole site and included a new medical centre and much improved public spaces.

Other options considered – none

Conflicts of interest / dispensations granted – none



128 **REPORT IN PUBLIC BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN: INVESTIGATION INTO STAGE 2 OF THE CORPORATE COMPLAINTS PROCEDURE**

The report was amended on submission as follows:

Replace "paragraph 3.4" in recommendation 2.1(c) and "paragraph 3.5" in recommendation 2.1(d) both with "paragraph 3.6"

**RESOLVED:**

(a) To note the following:

(i) the contents of the report of the Interim Director of Law and Governance and the Local Government & Social Care Ombudsman's (LGSCO) public report dated 2 May 2023 and its recommendations, as set out in Appendix 1 to the report.

(ii) the requirement for the public report to be considered in full by the Executive in accordance with the Local Government Act 1974.

(iii) the agreed remedial actions already taken by officers in response to the LGSCO's recommendations and detailed in paragraph 3.6 of the report.

(b) To note and approve the proposal to progress the completion of those agreed remedial actions which are yet to be completed by officers and detailed in paragraph 3.6 of the report.

Reasons for the decision – In accordance with the Local Government Act 1974, there was a requirement for the public report to be considered by the Council's Executive.

Other options considered – none

Conflicts of interest / dispensations granted – none

129 **LETTING OF PLATFORM, THE LAUNDRY, HORNSEY ROAD BATHS, 2 TILTMAN PLACE, ISLINGTON, LONDON N7 7EE - EXEMPT APPENDICES**

Noted.

130 **REDEVELOPMENT OF FINSBURY LEISURE CENTRE - EXEMPT APPENDICES**

Noted.

MEETING CLOSED AT 7.40 pm

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**Homes and Neighbourhoods Directorate  
222 Upper Street, N1 1XR**

Report of: Executive Member for Homes and Communities and  
Executive Member for Equalities, Culture, and Inclusion

**Meeting of: Executive**

**Date: 20 July 2023**

**Ward(s): All**

**SUBJECT: THE GLA/DLUH&C ALLOCATION OF FUNDING PROGRAMME TO ACQUIRE 40 X 1 BEDROOM, 20 X 2 BEDROOM, 20 X 3 BEDROOM AND 20 X 4 BEDROOM FORMER EX-RIGHT TO BUY PROPERTIES FOR PEOPLE CARE EXPERIENCED YOUNG ADULTS, PEOPLE SLEEPING ROUGH, HOMELESS HOUSEHOLDS AND THE AFGHANISTAN AND UKRAINIAN HUMANITARIAN HOUSING WORK**

## **1. Synopsis**

- 1.1 The aim of this report is to advise the Executive of the outcome of a capital funding bid made to the GLA and DLUH&C to purchase 40 X 1 bedroom Ex Right to Buy properties for care experienced young adults and people sleeping rough in Islington or the prevention of people sleeping rough, 20 x 2 bedroom Ex Right to Buy properties 20 x 3 bedroom Ex Right to Buy properties and 20 x 4 bedroom Ex Right to Buy properties for people who are homeless from the Afghanistan and the Ukraine as part of the council's humanitarian housing work.
- 1.2 Islington Council is the first council in London to access this funding from the GLA.

## **2. Recommendations**

- 2.1 To approve the borrowing of £26,359,000 within the Housing Revenue Account to supplement the funding provided by the GLA/DLUH&C to enable the council to purchase 40 x 1 bedroom Ex Right to Buy properties, for care experienced young adults and people sleeping rough in Islington or the prevention of people sleeping rough, 20 x 2 bedroom Ex Right to Buy properties 20 x 3 bedroom Ex Right to Buy properties and 20 x 4 bedroom Ex Right to Buy properties for people who are homeless from Afghanistan and the Ukraine as part of the council's humanitarian housing work.
- 2.2 To note the capital funding totalling £20,591,000 allocated to Islington Council by the DLUH&C/GLA and to commence the purchase 40 x one bedroom former ex Right to Buy properties in Islington to accommodate homeless households with a local connection to Islington. In addition to this to note the capital funding allocated to Islington Council by

the DLUHC/GLA and to commence the purchase 20 x 2 bedroom, 20 x 3 bedroom and 20 x 4 bedroom former ex Right to Buy properties in Islington to accommodate people through the homeless and Ukraine/Afghanistan humanitarian housing work.

2.3 To note the funding and to commence the purchase of these properties immediately.

2.4 To approve the budget increases as outlined in 4.1.3

### **3. Background**

3.1 Islington Council is currently accommodating 1,058 homeless households who are living in temporary accommodation. This is the highest level of people living in temporary accommodation for a considerable period due to the cost-of-living crisis, and the financial fallout of Brexit

3.2 The number of homeless people living on the streets of Islington is at the lowest level since records commenced. However, in the last 12 months the council has accommodated 200 people who have slept on the streets of Islington and this pressure continues going forward. In addition to this Children's Services are facing unprecedented demand for accommodation provision for care experienced young adults. The latest GLA data shows a 21% increase in people sleeping rough on the streets of London. The increase from 8,329 people seen sleeping rough in London in 2021-22 to 10,053 sleeping rough in London in 2022-23, shows how the work at Islington Council is reducing rough sleeping at a time rough sleeping is increasing across London.

3.3 London has a proud history of providing sanctuary to those in need and the Mayor of London has made clear that he wants to do everything in his power to support people from Ukraine and Afghanistan to establish a long-term future in the city.

3.4 Islington Council has a long and proud history of offering sanctuary to people in need, and Islington Council stand ready to help people from Ukraine and Afghanistan in every way we can.

Islington Council pride themselves on being excellent corporate parents to our children in care and our young people who have left care. We operate on the principle "what would I do for my own child?" as laid out in legislation and guidance.

3.5 Homeless households are now spending longer periods of time living in temporary accommodation due to the reduction of available council and housing association lettings, again because of the effects of the cost-of-living crisis and Brexit with homeless presentations increasing by 20% in the last 12 months. In addition to this the number of homeless households living in temporary accommodation continues to increase. Our care experienced young people are spending longer periods in supported accommodation and temporary accommodation that they no longer need to be in because of the lack of suitable secure accommodation for them.

3.6 Islington Council accepts the provision of 100 additional properties purchased through the Ex Right to Buy property programme will not the address all urgent needs. However, these properties will ensure homeless people have safe and secure accommodation in Islington to help with health improvements, education attainment for children and reduce the time spent in expensive and inappropriate temporary accommodation.

3.7 This funding will secure 20 x 1 bedroom properties for people leaving looked after care, 20 x 1 bedroom properties for people sleeping rough in Islington or the prevention of people sleeping rough. 20 x 2 bedroom properties 20 x 3 bedroom properties and 20 x 4 bedroom properties for homeless households from Ukraine and Afghanistan as part of the council's humanitarian work, with all purchases resulting in the acquisition of Ex Islington Council Right to Buy properties.

3.8 The acquisition of these properties will ensure care experienced young adults and homeless households and people fleeing Ukraine and Afghanistan are now provided with good quality accommodation locally in Islington to enhance community well-being.

3.9 The current crisis underlines the importance of this funding. But it is not only needed for those in expensive emergency temporary accommodation as a result of homelessness and the financial effects of the cost-of-living crisis. It is also required to provide longer-term homes for **care experienced young adults as per our duties to those who have been in care**, for those who need to live in Islington for employment reasons or to provide or receive support from family and friends.

3.10 The aim of the programme is to boost delivery of affordable accommodation for **care experienced young adults and** homeless households locally in Islington. The council will also receive revenue funding to provide Housing First support for the 40 x 1-bedroom properties totaling £1.2 million over the next three financial years.

#### 4.

##### 4.1 Financial implications:

4.1.1 Following protracted negotiations with the GLA driven by the GLA's stringent criteria in respect of the maximum grant they are willing to fund as a percentage of the capital cost of purchase price– the following grant funding arrangements have now been indicatively agreed with the GLA.

In summary the total indicative grant agreed to facilitate the purchase of 100 Ex RTB properties is £20,591,000 and the HRA Borrowing required is £26,359,000 as set out in the table below:

<b>TOTAL ALL Units</b>							
	Units	Purchase Price + Works	GLA Grant	% Grant	Affordable HRA Borrowing	TOTAL Resources	NET
1 BED	<b>40</b>	<b>£14,840,000</b>	<b>-£7,080,000</b>	48%	<b>-£7,760,000</b>	<b>-£14,840,000</b>	<b>£0</b>
2 BED	20	£9,470,000	-£3,788,000	40%	-£4,491,000	-£8,279,000	£1,191,000
3 BED	20	£9,820,000	-£3,928,000	40%	-£5,800,000	-£9,728,000	£92,000
4 BED	20	£12,820,000	-£5,795,000	45%	-£8,308,000	-£14,103,000	-£1,283,000
	<b>60</b>	<b>£32,110,000</b>	<b>-£13,511,000</b>		<b>-£18,599,000</b>	<b>-£32,110,000</b>	<b>£0</b>
<b>TOTAL</b>	<b>100</b>	<b>£46,950,000</b>	<b>-£20,591,000</b>		<b>-£26,359,000</b>	<b>-£46,950,000</b>	<b>£0</b>

It should be noted that to comply with GLA maximum grant allowances of 40% for 2 and 3 beds there is a shortfall in available affordable HRA borrowing of £1.283m however to balance this shortfall the GLA have allowed us to increase the grant beyond the amount required for the 4 bed purchases. Importantly this does mean that we must deliver the 2/3/4 bed programme as a complete package, in other words we must purchase all the 4 beds to balance the position and not create a deficit in the HRA.

##### 4.1.2 Financial Viability Assessments:

To determine the minimum GLA grant required and the maximum level of HRA affordable borrowing the following financial modelling has been carried out.

The **2,3&4 beds viability assessment** breaks even based on a 30-year Net Present Value (NPV) model using a discount rate of 5.0%, this is a more cautious approach to modelling as it effectively incorporates a set aside for debt repayment as well as interest on borrowing.

The discount rate used was based on the prevailing PWLB 30-year maturity rate as at the end of April was 5.05% (the start of the bidding negotiations) after deducting the 20-basis point certainty allowance and the 40-basis point HRA concession which runs from

June 23 to June 24 and adding a 50-basis point buffer this took the interest rate to around 5%.

Since the end of April rates have risen by a further 0.5% (at 20-06-23 the PWLB 30-year maturity rate was 5.52%) leading to a required adjusted rate of 5.5% after deducting the 20-basis point certainty allowance and the 40-basis point HRA concession which runs from June 23 to June 24 and adding a 50-basis point buffer.

Unfortunately using an increased NPV discount rate of 5.5% increases the GLA grant requirement to above a level acceptable to the GLA.

However, using a 30-year 5.5% interest only model, which seeks to ensure that the net rent generated can cover the interest charges excluding debt repayment, indicates that the level of GLA grant agreed i.e. £13.511 means that we could reduce the level of borrowing that the model determines is affordable i.e. £18.599m by £3.421m.

It should however be noted that if we do not set aside funds to repay the debt over the 30-year term we would need to **sell around 21 of the 60** purchases to redeem the debt £18.599m at the end of the 30-year term (assuming annual house price increases of +2%).

The **1 bed bid viability assessment** using a 5% or 5.5% NPV model results in requiring a GLA grant rate of 55% or 58% respectively, of the capital cost.

This level of grant rate was rejected by the GLA.

However, because of the strategic importance to Children's Services in relation to increasing the supply of accommodation to young adults leaving care and the Housing need to provide accommodation for rough sleepers we submitted a GLA grant bid based on a 30-year 5.5% interest only model.

This model indicates that the net rent generated over 30 years can cover interest on £7.760m of borrowing and reduces the grant requirement to 48% of capital cost a rate that is acceptable to the GLA.

Again, it should be noted that by not setting aside funds to repay the debt over the 30-year term we would need to **sell potentially alternative stock to the value of 12 of the 40 properties** to redeem the debt £7.760m at the end of the 30-year term (assuming annual house price increases of +2%).

#### 4.1.3 Rents & Tenancy Type

The GLA have indicated that the terms of the agreement will require rents to be set at the LOWER of LHA rates or 80% of Market Rent.

Current comparisons using the ONS published market rent data in Islington to March 22 uplifted by inflation to March 23 are as follows.

	23-24 Islington LHA Rates	Per the ONS 80% of Market Rent to March 22 + Inflation 4.8% to March 23
1bed	£295.49	£287.12
2bed	£365.95	£373.99
3bed	£441.86	£474.41
4bed	£593.75	£643.70

Therefore, for the 1 beds 80% of Market Rent and for the 2,3 & 4 beds the LHA rates have been used in the viability modelling.

Furthermore, the 1 bed bid has been based on us offering “secure” tenancies to the clients offered this accommodation, which is likely to confer the “right to buy” albeit that the cost floor is likely to make purchasing prohibitive.

In addition, “secure” tenancies mean that the clients will be in receipt of universal credit (paid to the tenant in first instance) not housing benefit (paid to the authority) which may give rise to collection problems and the full range of housing management issues that arise from a tenant falling into arrears.

The level of rent charged is particularly pertinent to the young adults leaving care cohort as £287.12 per week would not be considered an affordable rent, albeit that it would be covered by universal credit.

However, consideration as to how a clients’ entitlement to universal credit is affected by earnings needs to be assessed. This is not so much an issue for Rough Sleepers but could very well be an Issue for young people leaving care.

Children’s Services and their finance support are currently assessing how this scheme can work for their service this includes assessing the impact of current accommodation costs versus the cost of subsidising their clients’ rent to a social rent level (plus SCs) which is for 1 beds around £131.71 per week (at 23-24) resulting in a required subsidy if the client’s rent was not covered by UC of £155.41 per week.

#### 4.1.4 **Budgets HRA & GF**

The Director of Housing Operations is confident all 100 purchases will be completed in 2023-24 as such:

##### **HRA**

An increase in the HRA **Capital Exp. Budget** provision is required in 2023-24 totalling ££46.9550m.

In terms of the HRA **Revenue Budget**, the cashflow position breaks even over 30 years however, there is a temporary net cashflow deficit in the first 10 years totalling £1.175m over 10 years, which is fully paid back over the subsequent 5 years as such the first full year impact will lead to a net cost of £187k to the HRA, as set out below. The cashflow position can be managed within the wider HRA & Business Plan.

Furthermore, if we achieve an interest charge on borrowing of less than 5.5% (noting that the current rate is 4.92%) then the cashflow deficit will reduce, in addition the modelling assumes LHA rents will be frozen for 3 years again if these are in fact uplifted again this would reduce the impact of the cashflow deficit.

Equally if savings can be made against housing management costs which have been included in the modelling on a linear unit cost basis, then again, the cashflow deficit could be reduced.

#### HRA EXP. Budgets

Housing Management & Response Repairs & Major Repairs £694,000

Interest Charges at 5.5% £1,450,000

#### HRA INCOME Budgets

Rent £1,957,000

NET Cost in the first FULL YR1 23-24 £187,000

The above will be included in full as part of the 2024-25 budget setting cycle however depending on the timing of the purchases during 2023-24 a percentage of all the Revenue budgets maybe required.

#### **GF**

The report indicates at point 3.10 that the Council will receive GLA revenue grant funding in the sum of £1.2m to provide Housing First support to the clients of the 40 1 bed programme.

#### **GF Savings**

Furthermore, these purchases should “in theory” contribute towards the delivery of the **HGF savings** requirement in the sum of around £200k (based on a net cost of Temp. Accommodation of on average £2.5k per year per household x 80 properties). However, it is far more likely that this programme will mitigate an overspend that would otherwise have occurred, as explained below:

- The cost of the 20 Rough Sleepers that would be moved to this new accommodation are currently supported by grant.
- The 60 TA purchases that would replace the use of nightly booked can only be achieved if the through put of TA cases does not increase and if current levels of grant are maintained – the current evidence suggests numbers are increasing and that beyond 2025 Govt. grant is not guaranteed.

Once **Children’s Services** have completed their assessment as referenced at 4.1.3 these purchases should also help to contribute towards the delivery of their savings requirement.

- 4.1.5 To avoid GLA grant claw back & for the Council to retain the full £20,591,000 GLA capital grant for the purchase of the 100 properties the service needs to be provided for 30 years. At the end of the 30-year term, if the service is no longer required or we wish to redeem the outstanding debt the Council would need to sell an estimated 21 properties and a further 12 properties of equivalent value to the 1 bed debt in order to repay the debt the remaining properties could be retained for general needs purposes & let at social rent.
- 4.1.6 There remains a risk that we cannot sustain the delivery of the service for the full 30-year period, this could arise for example if the demand for temporary accommodation declines over time or there is no longer a need for these properties.



4.1.7 In this event we would potentially have the option to sell. House prices in Islington have risen by around 15% over the last 5 years (to 2022) so it is not unreasonable to assume we could sell the dwellings if necessary & both repay the proportion of the grant claw back & redeem the outstanding debt. Alternatively, there is also the potential option to convert the 3 & 4 bed dwellings into smaller sized temporary accommodation provision for which ongoing long-term demand is anticipated.

## **4.2 | Legal Implications:**

4.2.1 The Council may meet housing need by acquiring properties within Islington (section 9 of the Housing Act 1985).

The Council has legal duties under the Housing Act 1996(as amended) to help to secure/secure housing accommodation for people who are care experienced young adults, homeless or under threat of homelessness.

S208(1) of the Housing Act 1996 provides that so far as reasonably practicable the Council shall secure accommodation within Islington for people who are homeless or under threat of homelessness.

The Council has a duty under the Children Act 1989, 2004 and the Leaving Care Act 2000 to provide suitable accommodation for care experienced young adults

This property programme will increase the availability of accommodation within Islington that the Council can use to meet this statutory duty.

## **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

4.3.1 Purchasing 100 existing will contribute positively to the council's environmental commitment, by purchasing existing properties and improving/reducing the carbon outputs through the capital works programme and reducing the use of natural resources.

## **4.4 Resident Impact Assessment:**

4.4.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2 S149(3) provides that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

4.4.3 This programme will contribute positively to the council equality of opportunity principles, the Human Rights of individuals and the elimination of rough sleeping in Islington.

4.4.4 A Resident Impact Assessment was completed on the 21<sup>st</sup> May 2021, and is attached to this report as Appendix one.

4.4.5 As a public authority, the council must take account of the provisions of the Human Rights Act 1998 and not act in a way, which is incompatible with a Convention right.

Under Article 8, any interference with the right to respect for a person's private and family life and home must be proportionate and Article 14 requires that there must be no unjustified discrimination within the scope of human rights on any grounds, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

## 5. Reason for recommendations

- 5.1 To assist the council's commitment of ending homelessness in Islington and provide adequately for care experienced young adults.

Final report clearance:

**Authjorised by:** Councillor Una O'Halloran, Executive Member for Homes and Communities  
Councillor Roulin Khondoker, Executive Member for Equalities, Culture, and Inclusion

11 July 2023

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## London Borough of Islington

### KEY DECISION – GENERAL EXCEPTION NOTICE

Notice is hereby given that, in accordance with paragraph 92 of the Council's Constitution, the Executive will take a decision on 20 July 2023 on the following item:

### PURCHASE OF 100 EX-RIGHT TO BUY PROPERTIES

This notice is being given because the matter was not publicised 28 days in advance of the decision.

Further information may be obtained from Democratic Services.

Email: [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)

Tel: 020 7527 3308.

Signed:

Marine Rosenthal  
Monitoring Officer  
Director of Law and Governance

Date: 10 July 2023

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Homes and Neighbourhoods 222 Upper Street N1 1XR

Report of: Cllr O'Halloran Executive Member for Homes and Communities

Meeting of: Executive

Date: 20<sup>th</sup> July 2023

Ward(s): This report impacts all electoral wards in Islington

## Subject: Housing Allocations scheme

### 1. Synopsis

- 1.1. This report describes the Council's review of the Housing Allocations Scheme and recommends changes to enable Islington Council to best meet housing need within a backdrop of reduced turnover of stock.

### 2. Recommendations

- 2.1. To comment on the report and endorse the recommendations as detailed below.
- 2.2. To note the statutory and online consultation responses received.
- 2.3. To approve the changes to the Housing Allocation Scheme (the Scheme) recommended within this report.
- 2.4. To delegate to the Corporate Director of Homes and Neighbourhoods, following consultation with the Executive Member for Homes & Communities, the completion of the final version of the Scheme.
- 2.5. To note that the Equalities Impact Assessment shows no unintended or disproportionate effects are likely to arise for applicants with protected characteristics.
- 2.6. That, subject to approval of the proposed changes, to delegate authority to the Corporate Director of Homes and Neighbourhoods, following consultation with the Executive Member of Homes and Communities, approval to draft the final and lawful version of the Allocations Scheme based on the recommended changes within this report.

### 3. Background

4. At the time of writing over 15,500 households are waiting for a secure and affordable home on Islington Council's Housing Register, following a sharp rise in applications during the Covid-19 pandemic and now the Cost of Living crisis. Behind these figures are stories of individuals and families living in overcrowded homes, delaying key life decisions due to extortionate housing costs, health and wellbeing problems linked to housing, children's educational attainment and younger people's ability to invest in themselves and their futures thwarted.
5. With growing rent arrears, mortgage interest payments increasing from below 2% to above 5%, inflation now above 10% for the first time in over 40 years, and continuing uncertainty around the Government's post-Pandemic, Brexit and Cost of Living Crisis, the rising pressure on our council housing register makes the need to refine the criteria around how we prioritise access as immediate as it has ever been.
6. The following table explains the demand and supply of council and housing association rented accommodation in Islington over the last 12 months:

Type of accommodation	Number of households on the register	Supply	% housed
Studio and 1 bedroom	6,370	486	8%
2 – bedroom	2,593	34	13%
3 – bedroom	1,479	124	8%
4 – bedroom	507	22	4%
5 – bedroom	181	7	4%
6 – bedroom or larger	79	1	1%

7. There has been a general increase in the demand for council and housing association rented accommodation over the last three years, due to COVID 19, the financial fallout of Brexit, the cost of living crisis, increased Domestic Abuse, and increased homelessness etc. but at the same time there has been a reduction in the supply of council and housing association rented accommodation. As of the 1<sup>st</sup> July 2023, there are 1,058 homeless households living in temporary accommodation (bed and breakfast accommodation, hostel's, private rented temporary accommodation mainly outside of Islington). This type of accommodation is not suitable or affordable for Islington's residents. Therefore, urgent action is required to address these trends.
8. The table below shows the total points currently required to secure council and housing association rented accommodation and the % of households on the housing register who have currently been awarded these points.

Type of accommodation	Points required	% Of households on the register with these points
Studio/1 bedroom	200	9%
2 bedrooms	238	15%
3 bedrooms	277	8%
4 bedroom or larger	343	7%

9. We last changed the scheme in 2017. Then we had almost double the number of homes becoming available for rented accommodation than we do today. We want to create a simpler and more transparent housing register suitable for the situation in Islington today. There have also
10. Among the changes the council is proposing to increase the priority given to victims of domestic abuse, as well as making proposals to help homeless households find new ways of settling down, addressing the households who are living in properties suffering from damp and mould, ensuring local people are prioritised for our accommodation, additional priority for households with medical needs and the production of an annual lettings plan to make the housing allocations scheme more transparent.
11. The council proposes to ensure people who are the perpetrator of domestic abuse, violent, coercive, or controlling behaviour towards a resident of the borough will not be permitted to join the housing register. This confirms the council's commitment towards people fleeing Domestic Abuse and ensuring the council is on the side of victims of Domestic Abuse and our commitment to end all forms of Domestic Abuse in Islington.
12. People are not eligible to join the housing register for being convicted of a Anti-Social Behaviour offence, in or in the vicinity of your home.
13. The proposed changes will promote Islington Council's commitment towards working together for a fairer Islington and ensuring the future is more equal for our residents.
14. We are also introducing a greater degree of flexibility to reflect local circumstances on our local letting's schemes on new build council homes to strengthen the local community benefit as well as to maximize the wider chain of benefit from new homes.
15. Alongside this new scheme, we are also jumpstarting several initiatives to help enable more lettings through the system, as well as promote awareness of the widest range of housing options and to make the system more user friendly.

16. The production of the new Housing Allocations scheme and the recommendations contained above attempt to address the housing needs of residents who live in Islington, meet the legal requirements contained within the 1996 Housing Act, the Homelessness Reduction Act, and the Domestic Abuse Act. The Housing Allocations scheme also attempts to address the severe outcomes of the Welfare Reforms and the impacts of the Government's austerity measures. The new Housing Allocations scheme also follows national best practice examples and provides a sensible response to the continuing demand for housing in Islington today and in the future.
17. The council will introduce a localised 'right-sizing' initiative to better facilitate mutual exchange, rehousing opportunities between under occupying and overcrowded households. This will be promoted on a regular basis through information available through the Choice Based Lettings web site, through the production of leaflets, information displayed on Estate Notice Boards, through TRA meetings, organising specific estate based drop in sessions.
18. The stark situation we find ourselves in with the growing housing need in Islington only underscores the critical importance of the council and other builders to bring forward new, high quality, secure, social rent homes, and wherever possible to convert other tenures towards affordability, all while the Government chronically underfunds the most fundamental thing our residents need – a safe and secure home. The entire Islington community – landlords, developers, community groups, housing associations and residents in all tenures – all need to work together to tackle the housing crisis that keeps too many of our residents from living the fullest lives they can.
19. Islington Council's current Housing Allocations Scheme was introduced in 2018. There have been some minor amendments since, but the Scheme has remained fundamentally the same for the last 5 years. These amendments were approved by the Corporate Director of Homes and Neighbourhoods in consultation with the Executive Member responsible for housing at the time.
20. Although the Council and its Registered Provider (RP) partners are embarking on an ambitious programme of new build development through the Housing Strategy to increase supply, fundamental Scheme changes are required to improve how we meet needs with the resources that we have available.
21. This report provides the context and evidence as to why the Allocations Scheme needs to be reviewed, looking at how the turnover of social housing has reduced within a backdrop of increasing demand. It describes the process of engagement with stakeholders to develop a range of Scheme solutions ensuring that the proposals do not have a disproportionate effect on applicants within protected characteristic groups. It also describes how the proposals were consulted upon with both statutory organisations, partners, council tenants, households on the housing register and the wider public with the outcome being a well-considered set of recommendations.
22. Because of the strategic importance of council housing and housing association accommodation in Islington, and its links to other council priorities such as economic



wellbeing, improved education attainment the Fairer Together principles and improving the health of the borough, it is of the greatest importance for the housing allocations scheme to be a cross cutting strategic policy document which promotes the best solutions for Islington's residents.

- 23. Households will continue to receive a customised handholding approach to navigate through the Choice Based Lettings scheme and the completion of housing applications when this is required. In addition to this the new housing allocations scheme will design a framework which enables the council to look at the housing needs of households through the lens of treating every household as if they are an important member of our own families.
- 24. It is believed the new housing allocations scheme meets the principles of the CARE values and principles, provides a clear, honest, and fair process, which promotes the best use of all available council and housing association accommodation.
- 25. Subject to approval by Executive there is a summary of the next steps and an outline timetable for the introduction of a new Housing Allocations Scheme.

**Context & Background**

- 26. Islington Council's housing situation has changed significantly since 2018. There has been a significant rise in homelessness and the associated cost of the rising number of households in temporary and supported accommodation is unsustainable. Welfare reforms and rising private sector rents are huge challenges for people seeking new homes, we have lived through a COVID Pandemic and now living through a cost of living crisis.
- 27. Turnover and availability of social homes has significantly reduced the total number of households on the housing register has risen by 5% over the last 4 years, whilst we have seen a 7.5% decrease over the same time in the number of homes that have become available for letting. At the same time the stronger and more integrated partnership working that has developed has led to a greater understanding of complex housing needs.

**This table shows the increase in demand and reduction in lettings over the last 6 years:**

<b>Total on the housing register</b>	<b>Total number of lettings</b>	<b>% of housing register rehoused</b>
<b>2018 - 14,469</b>	<b>1017</b>	<b>7%</b>
<b>2019 - 14,567</b>	<b>1105</b>	<b>7%</b>
<b>2020 - 14,164</b>	<b>1186</b>	<b>8%</b>

<b>2021 - 14,530</b>	<b>1089</b>	<b>7%</b>
<b>2022 - 15,402</b>	<b>1022</b>	<b>6%</b>

## Legal Context

28. Part 6 of the Housing Act 1996 requires local authorities to have an Allocations Scheme that describes how social homes should be allocated in the authority's area and to give "reasonable preference" to certain groups of applicants:

- People who need to move on welfare or medical grounds,
- People who need to move to a particular area of the borough to avoid hardship,
- People living in overcrowded, insanitary, or otherwise unsatisfactory housing, and
- People who are homeless within the meaning of Part 7 of the Housing Act 1996

29. Priority can be given, and allocations can be made to, categories of applicants who do not fall within the reasonable preference groups (for example current tenants who are under-occupying their current homes), however, we must ensure that the reasonable preference requirement is met and we must ensure that any locally-determined priority categories do not dominate the Scheme such that the statutory reasonable preference categories have relatively little chance of being rehoused.

30. The Islington Council Housing Allocations Scheme sets out the principles and rules by which people apply for social housing, including who qualifies to join Islington Council housing register and how the Council prioritises who gets a home. In simple terms, Islington's current Allocations Scheme operates a priority points based allocations scheme with those in the greatest housing needed awarded the highest level of priority points.

31. Across Islington, an increasing number of individuals and families are becoming homeless and are at greater risk of homelessness. The main reason for statutory homelessness is the loss of a tenancy in the private rented sector, being evicted by family and friends and Domestic Abuse.

32. Government welfare changes, which include capping personal benefits and limiting the amount payable in rent via the Local Housing Allowance, have had a major impact in contributing to the loss of tenancies and the growth in numbers on the housing register.

33. The Council currently has 1,058 homeless households living in temporary accommodation.

34. Although the existing Scheme was set up with the best intentions, the Scheme has now developed unintended consequences and instead of helping people most in need the

Scheme is now causing a barrier in accessing homes for vulnerable households. As we can see by the numbers of households within temporary accommodation, they are increasingly waiting for long periods to access social housing, causing a lack of throughput and rising costs.

35. The average waiting time for a family household to move out of temporary accommodation can be between 24-36 months.
36. The data from the Islington Council Housing Register and lettings statistics from the year 2022/2023 and gives a real sense of how demand is outstripping the number of available properties. This is a summary of the key facts:
- The total number of live applications on the Islington Council Housing Register continues to increase.
  - The number of applications in reasonable preference is continuing to increase - over 8800 and far outstrips supply, estimated to be 1,000 lettings in 2022/2023.
  - The turnover of stock (this equates to lettings) has reduced each year for the last 4 years.
  - The vast majority of lettings are to applicants in reasonable preference (over 92% of all lettings)
  - The availability of larger family homes means that most applicants for 4+ bedroom homes will not be rehoused through the register for a considerable length of time, if at all.
  - Increase in numbers of people living in insecure temporary accommodation
  - Right to Buy contributing to the reduction in numbers of social housing stock.
  - The increasing number on the register and reduced turnover means that even those applicants in need (reasonable preference) cannot be assured of being rehoused. Some applicants in housing need will remain on the register for years and might never be rehoused.

## **Engagement and Consultation**

37. Over the last year a dedicated project team led by the Director of Housing Operations and made up of Council and Registered Provider (RP) officers and all partners has reviewed the current Housing Allocations Scheme.
38. One of the first tasks for the team was to establish Scheme objectives so that it could effectively deliver a Scheme that is legal, reflects the current housing position and assists with meeting corporate priorities.
39. These objectives were that the Scheme:
- Continues to accord with legislation and statutory guidance.
  - Provides the means of managing the allocation of a scarce resource (social housing) in a fair and equitable manner assisting those in most need.

- Is transparent and easy to understand.
  - Considers the need to manage neighbourhoods.
  - Considers the Homelessness Reduction Act, welfare reforms and the Homelessness Strategy.
  - Continues to comply with local authority equality duties.
  - That there is no unintended adverse impact on other housing practice.
40. By analysing data and information from both qualitative and quantitative sources, the team have been able to use this information to facilitate a series of discussions at the Homelessness Prevention and Rough Sleeping forum with all partners and also at the Housing Association liaison meetings. This helped everyone to understand how the current Scheme impacts on access to social housing for various need groups that make up the housing register, highlighting specific issues and unintended consequences.
41. Discussions throughout the process have been challenging. Everyone taking part recognised that any proposal to increase the priority of any particular group of applicants could have an adverse effect on another group of applicants, hence carrying out Equality Impact Assessments (EIA) to mitigate any potential adverse consequences. Nevertheless, discussions always focussed on the objectives of helping those in greatest need. After months of very careful and well-informed deliberation Members, Council officers and Registered Provider partners agreed to put forward a series of Scheme changes for statutory and public consultation through an 8 week consultation process.

### **Scheme development and engagement timeline**

42. This is a summary of the work and meetings that have been carried out to get to the current position to date.
- June 2021 to August 2022: Workstream meetings were held to discuss how the current Scheme impacts on access to social housing for various need groups that make up the housing register. Discussions went on to identify possible options that could offer solutions to a revised Scheme.
  - September 2022: Progress and options were presented to meetings of the Homelessness Prevention and Rough Sleeping Forum and the Housing Association Liaison meetings.
  - September 2022 to December 2022: These options were more fully developed by officers and taken back to partners via the Homelessness Preventions and Rough Sleeping Forum and the Housing Association liaison meetings to ensure the work stream in order that partners' views, preferences and positions can be understood.
  - December 2022: Scheme proposals agreed
  - January 2023 to March 2023 8 week statutory and wider online consultation concluded.
  - March 2023 and April 2023: Local meetings held with Housing Associations and ward members to discuss any specific localised issues and finer Scheme details.
  - April and May 2023: Final meetings held with Housing Associations and partners to discuss consultation feedback and agree to final recommendations.

**Proposed changes percentage resident feedback and the rational relating to the recommendations made**

43. While undertaking the review the challenge has been to differentiate between different high priority (reasonable preference) groups of applicants, giving some a higher priority in a new Allocations Policy.

44. The main proposed changes fall into the following categories

45. This table shows a summary of the 950 responses received from residents. Please also note 81 partner organisations also responded with Only 10% of partners not supporting the proposed changes.

Current wording	Proposed new wording/changes/additions
<p><b>Applicants who cannot join the housing register – Non-Residence</b></p> <p>People who are not resident in the borough on the date of application, and people who have lived in Islington for less than three out of the previous five years from the date they apply for housing, cannot join the housing register</p>	<p><b>Applicants who cannot join the housing register-Non-Residence</b></p> <p>People who are not resident in the borough on the date of application and have not continuously lived in Islington for at least five years from the date they apply for housing cannot join the housing register</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>71% of residents supported this approach</b></p> <p><b>20% of residents do not support this approach</b></p> <p><b>9% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 71% of residents support this approach</b></p>
<p><b>Applicants who cannot join the housing register - Unacceptable behaviour</b> Being the perpetrator of violent, coercive, or controlling behaviour towards a resident of the borough</p>	<p><b>Applicants who cannot join the housing register - Unacceptable behaviour (page 17)</b></p> <p>wording changed to expand scope Being the perpetrator of domestic abuse, violent, coercive, or controlling behaviour towards a resident of the borough.</p>

Current wording	Proposed new wording/changes/additions
<p><b>Responses to the resident consultations</b></p>	<p><b>79% of residents supported this approach</b></p> <p><b>10% of residents do not support this approach</b></p> <p><b>11% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 79% of residents support this approach</b></p>
<p><b>Non- residence exception</b></p> <p>Households who have sufficient financial resources to own or rent accommodation.</p>	<p><b>Non- residence exception (page 18) -item7</b></p> <p><b>wording changed regarding income.</b></p> <p>a) Applicants who have total savings, investments and/or assets of £16,000 or more</p> <p>b) Applicants whose household’s total gross income from all sources exceeds an annual income of £90,000</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>50% of residents supported this approach</b></p> <p><b>34% of residents do not support this approach</b></p> <p><b>16 % of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as only 34% of residents do not support this approach</b></p>
<p><b>Residence Points</b></p> <p>Applicants must be resident in the borough for at least three out of the last five years from the date of application</p>	<p><b>Residence Points</b></p> <p>100 points are awarded to everyone who has been resident in the borough continuously for the last five years at the date of application</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>71% of residents supported this approach</b></p> <p><b>20% of residents do not support this approach</b></p> <p><b>9% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 71% of residents support this approach</b></p>
<p><b>Waiting time points</b></p>	<p><b>Waiting time points</b></p>

Current wording	Proposed new wording/changes/additions
<p>Points are calculated at 5% per year of housing needs points (except residence points)</p>	<p><b>This points allocation will not be removed:</b></p> <p><b>Reason:</b></p> <p>The majority of people who responded to the consultation did not support this proposal.</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>34% of residents supported this approach</b></p> <p><b>46% of residents do not support this approach</b></p> <p><b>20% of respondents did not express an opinion</b></p> <p><b>Recommendation not to proceed with this change as only 34% of residents support this approach</b></p>
<p><b>Splitting households</b></p> <p>With the household's agreement consideration may be made to offering two separate properties to a large household. The council will consider the types of properties required and ensure that there is an adult as part of each tenancy.</p>	<p><b>Splitting households (Page 21)</b></p> <p>Dividing Households</p> <p>A council tenant may request one or more separate properties for their authorised household members. The council will only agree to this request where:</p> <ul style="list-style-type: none"> <li>• the tenant and the authorised household members move to one- bedroom properties;</li> <li>• the number of one-bedroom properties required does not exceed the number of bedrooms in the original larger home;</li> <li>• the tenant and household member are rehoused simultaneously</li> </ul> <p>Shared residency of children</p> <p>Where children are subject to a shared residency arrangement the children are only considered to need one home of adequate size. Where either parent has a home of adequate size the remaining parent will be assessed as having overnight access only and no additional bedrooms will be agreed for the children.</p> <p>Households occupying more than one tenancy</p> <p>Where a family unit is not currently residing together the assessment will be based on the part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together. The</p>

Current wording	Proposed new wording/changes/additions
	residency qualification will be based on that part of the household with the longest residency in the borough
<b>Responses to the resident consultations</b>	<b>57% of residents supported this approach</b> <b>18% of residents do not support this approach</b> <b>25% of respondents did not express an opinion</b> <b>Recommendation to proceed with this change as 57% of residents support this approach</b>
<b>Medical points</b> Previous medical points <b>Cat A 150</b> <ul style="list-style-type: none"> <li>• life limiting or progressive condition</li> <li>• serving members of the regular forces who are suffering from a serious injury, illness or disability</li> <li>• where two household members have Cat B</li> </ul> <b>Cat B 80</b> <ul style="list-style-type: none"> <li>• Where the applicants current housing conditions is having a major effect on their health condition</li> <li>• Cat C 40</li> </ul>	<b>Medical points- (page 22)</b> <b>Medical points</b> <b>Cat A 200 (change to points award)</b> <ul style="list-style-type: none"> <li>• life-limiting, life threatening or progressive condition</li> <li>• serving members of the armed force with a disability</li> <li>• Hospital discharge</li> </ul> <b>Cat B 80</b> <ul style="list-style-type: none"> <li>• Applicant at risk and housebound</li> <li>• Applicant health is severely affected by their current accommodation</li> </ul> <b>Cat C 40</b> <ul style="list-style-type: none"> <li>• No change</li> </ul>
<b>Responses to the resident consultations</b>	<b>59% of residents supported this approach</b> <b>21% of residents do not support this approach</b> <b>20% of respondents did not express an opinion</b> <b>Recommendation to proceed with this change as 59% of residents support this approach</b>
<b>Welfare points</b> <b>Welfare A</b>	<b>Welfare Points (page 25)</b> <b>No change to point's award. Some clarification on examples</b>



Current wording	Proposed new wording/changes/additions
<p>Where the accommodation is required to meet the assessed needs of relevant children and other care leavers under the Children Leaving Care Act 2000.</p> <p><b>Welfare B</b></p> <p>Where an applicant or a member of their household has to move in order to be near a person to whom they give or receive care and support</p>	<p><b>Welfare A</b></p> <ul style="list-style-type: none"> <li>• Where a property is declared unfit for habitation or has a category 1 hazard due to damp and mould, as confirmed by the Public Protection team, or Islington Diagnostic Surveyors and which has a severe impact on the household</li> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in severe harm or fatality due to their accommodation as assessed by Children’s Services.</li> <li>• Where there is a risk of a child within the applicant’s household coming into Local Authority care or residential care due to their housing situation</li> <li>• Where it is necessary to move because of the threat of violence, abuse, or harassment, including domestic and sexual violence except for council tenants who have been awarded 150 management transfer points</li> </ul> <p><b>Welfare B</b></p> <ul style="list-style-type: none"> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in urgent risk of harm due to their accommodation as assessed by Children’s Services.</li> <li>• Where an applicant is experiencing a threat of violence, abuse or harassment that is impacting their living conditions</li> <li>• Where accommodation is required to meet the needs of a child as assessed in a Child in Need (CIN) plan</li> <li>• The applicant is living in such insanitary conditions that their welfare is prejudiced, and there are no remedies available to improve the conditions including where there is damp and mould</li> </ul> <p><b>Welfare C</b></p> <ul style="list-style-type: none"> <li>• The applicant is living in such conditions that their welfare is prejudiced for example, where there is mould and condensation and limited remedies are available, to resolve the issue.</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>Responses to the resident consultations</b></p>	<p><b>69% of residents supported this approach</b></p> <p><b>10% of residents do not support this approach</b></p> <p><b>17% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 69% of residents support this approach</b></p>
<p><b>Management transfers</b></p> <p>Points may be agreed by the council and Partners for Improvement in Islington where it is necessary to move a tenant on management grounds. In most cases, 60 management points will be awarded.</p> <p>In exceptional circumstances, 120 points may be awarded. These points will be reviewed every six months.</p>	<p><b>Management Transfers (page 27)</b></p> <p>These points are only awarded to council tenants where a move is necessary on management grounds. Points may be awarded as follows:</p> <p><b>150 points</b> may be awarded:</p> <ul style="list-style-type: none"> <li>• Where there is evidence to indicate that the tenant is currently at risk of serious harm from a third party perpetrator(s). For example, risk of possible homicide, serious injury, assault or abuse including domestic or sexual violence</li> <li>• where it can be evidenced that the risks can only be managed effectively by moving the tenant elsewhere</li> <li>• where there is a corresponding safety plan in place setting out how the new address will be kept confidential, minimising the risks of the perpetrator (s) finding the victim/survivor</li> </ul> <p>These points will be reviewed every six months.</p> <p><b>120 points</b> may be awarded:</p> <ul style="list-style-type: none"> <li>• Where there is no current risk from a third-party perpetrator, but where there are other risks serious enough to jeopardise the sustainment of the tenancy. Examples include (this is not an exhaustive list and each case should be considered on its own merit / evidence): <ul style="list-style-type: none"> <li>• A tenant has a history of being subjected to abuse, neglect or other serious harm at the tenancy. Whilst this is now historic (i.e. there is no current risk from a third party perpetrator) the tenant is experiencing serious and ongoing post-traumatic stress to the extent that the tenancy is in jeopardy</li> <li>• A tenant has severe and enduring mental health issues and has developed paranoid / delusional</li> </ul> </li> </ul>

Current wording	Proposed new wording/changes/additions
	<p>thoughts about the property or neighbours, to the extent that living there is having a serious impact on their ability to manage the tenancy or stay well.</p> <ul style="list-style-type: none"> <li>• Long running neighbour disputes where both parties are equally hostile to each other, where there is a clearly evidenced high level of distress but where the issues are not serious enough on either side to warrant strong enforcement action being taken <b>and</b> where officers can evidence that a move will resolve the issues.</li> <li>• to applicants who release an adapted property where such an applicant no longer requires their current home and will therefore be releasing an adapted property by moving and are in unsatisfactory housing within 166A(3)(c)</li> </ul> <p><b>60 points</b> may be awarded for example:</p> <ul style="list-style-type: none"> <li>• Where there other, less serious risks or concerns that jeopardise the sustainability of the tenancy and where officers can evidence that a move will resolve the issues (all cases will be considered on their individual merits)</li> </ul>
<p><b>Responses to the resident consultations</b></p>	<p><b>69% of residents supported this approach</b></p> <p><b>10% of residents do not support this approach</b></p> <p><b>21% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 69% of residents support this approach</b></p>
<p><b>Points awarded from previous Allocation Scheme (Retention Points)</b></p> <ul style="list-style-type: none"> <li>• Applicants retain these points under previous Allocation schemes (2010 and 2013)</li> </ul>	<p><b>Points awarded from previous Allocation Scheme (Retention Points)</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• All applications to be re-assessed and therefore these points will no longer be applicable</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>Responses to the resident consultations</b></p>	<p><b>37% of residents supported this approach</b></p> <p><b>33% of residents do not support this approach</b></p> <p><b>30% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as only 33% of residents do not support this approach</b></p>
<p><b>Relationship breakdown</b></p> <ul style="list-style-type: none"> <li>Where a relationship has occurred between couples and one or both partners are an Islington council tenant.</li> </ul>	<p><b>Relationship breakdown</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>There is a growing increase in high needs single vulnerable applicants who require housing. This should be removed due to the severe shortage of social housing</li> </ul>
<p><b>Responses to the resident consultations</b></p>	<p><b>40% of residents supported this approach</b></p> <p><b>41% of residents do not support this approach</b></p> <p><b>19% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as only 41% of residents do not support this approach</b></p>
<p><b>New generation scheme:</b></p> <p>Applicants must be living continuously as an agreed member of the household of an Islington resident for at least three out of the last five years</p> <ul style="list-style-type: none"> <li>applicants must be living as an agreed member of the household of an Islington resident</li> <li>applicants must have lived continuously as an agreed member of the household of an Islington resident for the three</li> </ul>	<p><b>New generation scheme (page 28)</b></p> <ul style="list-style-type: none"> <li>applicants must have lived continuously as an agreed member of the household of an Islington resident for the five years prior to the date of application</li> <li>applicants must not have been previously housed by the council</li> <li>proof of residence will be required</li> </ul>

Current wording	Proposed new wording/changes/additions
<p>years prior to the date of application</p> <ul style="list-style-type: none"> <li>• proof of residence will be required</li> </ul>	
<p><b>Responses to the resident consultations</b></p>	<p><b>74% of residents supported this approach</b></p> <p><b>13% of residents do not support this approach</b></p> <p><b>13% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 74% of residents support this approach</b></p>
<p><b>No previous wording</b></p>	<p><b>Domestic Abuse (page 28)</b></p> <p><b>New points allocation</b></p> <p>Applicants fleeing domestic violence and abuse that have been assessed by MARAC (Multi-Agency Risk Assessment Conference). These applicants will be awarded <b>30 additional priority points</b></p>
<p><b>Responses to the resident consultations</b></p>	<p><b>81% of residents supported this approach</b></p> <p><b>8% of residents do not support this approach</b></p> <p><b>11% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 81% of residents support this approach</b></p>
<p><b>No previous wording</b></p>	<p><b>Prevention of homelessness (page 30)</b></p> <p><b>New points allocation</b></p> <p>Applicants who were owed under Part VII of the Housing Act 1996 a prevention duty (section 195(2)) or relief duty (section 189B (2)) who have accepted a private sector tenancy solution will be awarded <b>30 points</b>.</p> <p>Applicants who would normally be offered a section 193 (2) main housing duty and who have accepted a private sector tenancy solution will be awarded <b>70 points</b>.</p>

Current wording	Proposed new wording/changes/additions
<p><b>Responses to the resident consultations</b></p>	<p><b>66% of residents supported this approach</b></p> <p><b>13% of residents do not support this approach</b></p> <p><b>21% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 66% of residents support this approach</b></p>
<p><b>Applicants not bidding</b></p> <p>The council will review all applications where no bid has been placed on a regular basis. Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p>Applicants who persistently bid and do not attend viewings and applicants who consistently accept and later refuse properties may be suspended from the list for 6 months.</p>	<p><b>Applicants not bidding (page 36)</b></p> <p>The council will review all applications where no bid has been placed on a regular basis. Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p><b>Applicants who:</b></p> <ul style="list-style-type: none"> <li>persistently bid and do not attend viewings</li> <li>applicants who consistently accept and later refuse properties</li> </ul> <p>or applicants who fail to bid for more than twelve months may be removed from the Housing Register.</p> <p>These applicants will be required to reapply if they consider they still have a housing need. Any decision to remove an applicant from the housing register is subject to review</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>72% of residents supported this approach</b></p> <p><b>16% of residents do not support this approach</b></p> <p><b>12% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 66% of residents support this approach</b></p>
<p><b>Supported choice</b></p> <p>Applicants agreed two offers of housing</p>	<p><b>Supported Choice (page 36)</b></p> <ul style="list-style-type: none"> <li>Where supported choice lettings are made an applicant will be given access to the choice based lettings system for a minimum of four weeks. If they are not successful within this time, they will be made an offer of a suitable property based on their assessed need for accommodation.</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>Responses to the resident consultations</b></p>	<p><b>64% of residents supported this approach</b></p> <p><b>10% of residents do not support this approach</b></p> <p><b>26% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 64% of residents support this approach</b></p>
<p><b>No previous wording</b></p>	<p><b>Annual Lettings Plan (page 39)</b></p> <p>The council will produce and publish an Annual Lettings Plan; this will set annual targets for property types across priority points. The Head of Housing Needs will draw up the Annual Lettings Plan every January. The Annual Lettings Plan will be published on the council's website. The Head of Housing Needs is responsible for monitoring the Annual Lettings Plan. If monitoring shows that outcomes are not as per the Annual Lettings Plan the council reserves the right to implement a quota system and adjust the / Annual Lettings Plan to ensure that it meets its strategic and or statutory obligations. This power is reserved to the Executive Member for Housing and Development in consultation with the Director of Housing Needs and Strategy to approve.</p> <p>The Housing Allocations Scheme is also monitored to make sure that allocations made reflect the housing need and meet with the requirements of legislation. This scheme will be reviewed internally periodically to ensure that its aims and objectives are met.</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>66% of residents supported this approach</b></p> <p><b>7% of residents do not support this approach</b></p> <p><b>27% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 66% of residents support this approach</b></p>
<p><b>New homes Local Lettings Council Estate:</b></p>	<p><b>New homes Local Lettings (page 40)</b></p> <p><b>New homes on council estates</b></p>

Current wording	Proposed new wording/changes/additions
<p><b>Priority is given to:</b></p> <ul style="list-style-type: none"> <li>• Secure council tenants</li> <li>• Household members of a secure council tenants</li> <li>• Secure council tenants requesting a like for like transfer</li> <li>• Remaining properties will be let to residents of the borough</li> </ul> <p><b>Ward Priority</b></p> <ul style="list-style-type: none"> <li>• Secure social housing tenants</li> <li>• Household members of secure social housing tenants</li> <li>• Remaining properties will be let to residents of the borough</li> </ul>	<p>The council is committed to ensuring that its new homes are meeting the needs of the local community by prioritising existing secure council tenants currently living on the estate on which they are being built. Where we construct new homes on existing estates, the local lettings of these new homes will be in accordance with the lettings plan for the individual scheme for up to 100% of the allocations.</p> <p>Where lettings plans are drawn up the following will apply to the local lettings allocations:</p> <ul style="list-style-type: none"> <li>• Applicants must be secure council tenants living on the estate who meet the bidding threshold</li> <li>• Applicants must fulfil the size and property requirements for the new homes, but under-occupiers will be able to bid for a property with an extra bedroom</li> <li>• Applicants with the same number of points will be prioritised based on the length of time on the housing register</li> <li>• Wheelchair adapted properties will be restricted to applicants who require such properties.</li> <li>• Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.</li> <li>• Properties built to ‘lifetime homes’ standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation</li> </ul> <p>Remaining properties subject to local lettings will be allocated to assured/secure social housing tenants with an assessed housing need living in the local ward. After local lettings on the estate and ward, remaining properties will be let according to the council’s general Housing Allocation Scheme.</p> <p>The Service Director of Housing Needs and Strategy can exercise discretion to include more than one estate and ward in the local lettings allocation.</p> <p><b>Other new social housing</b></p> <p>Islington Council also wants to make sure local people benefit from other, new social housing. Where new homes are built for social rent the local lettings of these</p>



Current wording	Proposed new wording/changes/additions
	<p>new homes will be in accordance with the Lettings Plan for the individual scheme for up to 100% of the allocations.</p> <p>Where lettings plans are drawn up the following will apply to the local lettings allocations:</p> <ul style="list-style-type: none"> <li>• Applicants must be assured/secure council tenants living in the ward who meet the bidding threshold</li> <li>• Applicants must fulfil the size and property requirements for the new homes</li> <li>• Applicants with the same number of points will be prioritised based on the length of time on the housing register</li> <li>• Wheelchair adapted properties will be restricted to applicants who require such properties.</li> <li>• Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.</li> <li>• Properties built to 'lifetime homes' standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation</li> </ul> <p>After local lettings in the ward, remaining properties will be let according to the council's general Housing Allocation Scheme.</p> <p>The Service Director of Housing Needs and Strategy can exercise discretion to include more than one ward in the local lettings allocation.</p>
<p><b>Responses to the resident consultations</b></p>	<p><b>73% of residents supported this approach</b></p> <p><b>9% of residents do not support this approach</b></p> <p><b>18% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 73% of residents support this approach</b></p>
<p><b>Intra Estate Transfer</b></p> <p>20% of available voids on estates are prioritise to tenants who live on the estate</p>	<p><b>Intra Estate Transfer</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p>

Current wording	Proposed new wording/changes/additions
	<ul style="list-style-type: none"> <li>Due to the severe shortage of housing and the increased demand in high needs cases.</li> </ul>
<b>Responses to the resident consultations</b>	<p><b>47% of residents supported this approach</b></p> <p><b>19% of residents do not support this approach</b></p> <p><b>34% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 19% of residents do not support this approach</b></p>
<b>Keyworker housing</b>  Islington keyworkers (Social Workers, Teachers, Metropolitan police nurses working in Islington are awarded housing points to bid for a bedsitter or 1 bedroom accommodation on a non secure let	<b>Keyworker housing</b>  <b>This section has been removed:</b>  <b>Reason:</b> <ul style="list-style-type: none"> <li>There is a growing increase in high-needs, single, vulnerable applicants who require housing. This should be removed due to the severe shortage of social housing accommodation.</li> </ul>
<b>Responses to the resident consultations</b>	<p><b>50% of residents supported this approach</b></p> <p><b>29% of residents do not support this approach</b></p> <p><b>21% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 29% of residents do not support this approach</b></p>
<b>No previous wording</b>	<p><b>Supported housing move on new points allocation (page 29)</b></p> <p><b>Supported Housing Move On</b></p> <p>100 points may be awarded to applicants in supported housing where it is in the council's wider strategic interest for these applicants to move on from supported housing</p> <p>Examples where this may occur include:</p> <ul style="list-style-type: none"> <li>The applicant is in supported accommodation that they no longer need and that the council urgently requires that accommodation for other applicants</li> <li>The supported accommodation scheme is closing down or changing use</li> </ul>

Current wording	Proposed new wording/changes/additions
	<ul style="list-style-type: none"> <li>The applicant has multiple complex needs and has a demonstrable need for settled accommodation in borough which they cannot reasonably be expected to find for themselves in the near future</li> </ul>
<b>Responses to the resident consultations</b>	<p><b>64% of residents supported this approach</b></p> <p><b>10% of residents do not support this approach</b></p> <p><b>26% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 64% of residents support this approach</b></p>
<b>Armed forces personnel</b>  To serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service	<b>Armed forces personnel (page 22)</b> <ul style="list-style-type: none"> <li>To serving members <b>or former members or reserve members</b> of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service</li> </ul>
<b>Responses to the resident consultations</b>	<p><b>66% of residents supported this approach</b></p> <p><b>15% of residents do not support this approach</b></p> <p><b>19% of respondents did not express an opinion</b></p> <p><b>Recommendation to proceed with this change as 66% of residents support this approach</b></p>

### Statutory and Public Consultation (Feedback Summary)

46. Following the development of the policy options and as required by the Housing Act 1996, the Council set about an 8 -week consultation process with our Housing Association partners, all external and internal partners, all households on the housing register and community based organisations. Under the Act there is no requirement to consult with the wider public, however we chose an “Our Islington Council inclusive” approach. We really wanted to know what the wider public, specifically current applicants, thought of the proposals. We gave the public the chance to comment on the fundamental changes on the Council’s website through the “have your say” consultation. Please note the 1,031 responses received is significantly greater in number compared to the 2017 consultation framework when 20 responses were received.

47. Islington Council sent out mail shots to all applicants on the current register and the Council wrote to all commissioned services and the voluntary sector. The consultation was also publicised both locally and regionally in the press, posters distributed across Islington and information placed onto the Estate Notice Boards.

48. The statutory consultation with Housing Association was substantial and included releasing a first draft of a revised Policy (as per guidelines). The public consultation was concise and succinct, and the online survey included possible fundamental changes that would have the most impact.

49. The online response rate was excellent with 950 respondents, made up from applicants, residents and 81 partner organisations provided responses. Therefore, in total 1,031 responses have been received from the eight week consultation period.

50. Generally, the response to the changes has been extremely positive and in favour of the proposed changes. The only proposed change where there was a mixed response related to the following areas:

- Waiting time points 46% of residents stated they did not support this proposal. Due to the scale of the opposition to this proposal this proposal will not be implemented.
- Relationship breakdown 41% of residents stated they did not support this proposal.

51. Following the end of the consultation, meetings have been held with Housing Association partners to discuss and analyse all feedback which has enabled the project group to identify any areas of the draft Policy that may need amending.

52. There will be a review of the new policy at 12, 24 and 36 months following the implementation of the policy, these reviews will identify if any of the changes have created any unintended consequences, if any are identified further solutions will be sought to mitigate these.

53. Only 10% of partners do not support all of the proposed changes.

### Partner agencies and resident detailed consultation responses

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal
Removal of key worker housing prioritisation	A number of responses from Childrens Services cited concerns about the proposed removal of key worker housing prioritisation and the impacts of the proposal on the council's ability to recruit Childrens Services Social Workers. Though acknowledged as having potential impacts on recruitment/rentention, the benefits of the proposal outweigh the likley impacts when the breadth of the housing crisis in Islington is factored in. Moreover, the council is able to advise and assist key workers to secure

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal
	<p>more affordable accommodation in private rented sector if assistance is sought.</p> <p>As of March 2023, there are just over 1000 households in temporary accommodation. The numbers of residents in temporary accommodation has been increasing over the last two years due to an increase in homelessness. When this statistic is coupled with the overall reduction in the availability of social housing properties from 2021/22 to 2022/23, the 14 priority groups for rehousing the removal is considered on balance to be a reasonable and fair approach to managing diminishing social housing resources.</p> <p>The recommendation is therefore to proceed with this change as only 29% of respondents to the consultation do not support this approach.</p>
Removal of relationship breakdown points	<p>This was raised as an area of concern in its potential for inadvertently increasing the likelihood of domestic abuse if a couple were unable to separate amicably and for one party to secure alternative social housing.</p> <p>In considering this feedback, it was noted that joint tenants have equal rights to a property and in the event of a relationship breakdown, irrespective of the reason, both parties would be encouraged to seek independent legal advice as to their specific tenancy rights.</p> <p>In the case of joint tenants, housing officers will ensure a nuanced and case specific approach is adopted in assisting the resident who has been asked to leave the property. Officers will ensure that risks are minimised particularly in cases if one partner is also a perpetrator of domestic abuse. Additionally, if domestic abuse were a factor in the relationship breakdown, the victim/survivor will be offered with advocacy support via specialist domestic abuse services and support from the Housing Needs service.</p> <p>The recommendation is therefore to proceed with this change as only 41% of respondents to the consultation do not support this approach.</p>
Removal of waiting time points	<p>A number of feedback responses cited concerns about the proposal to remove waiting time points from all current and future applications. Some of these responses appreciated the need to ensure those in housing need were able to secure social housing but also felt that there should be some degree of acknowledgement for those who had been on the council's housing register for several years.</p> <p>The recommendation is therefore not to proceed with this change as only 34% of respondents to the consultation support this approach.</p>

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal
<p>Residence in borough requirement-increase from 3 to 5 years</p>	<p>There was some disagreement with the proposal to increase the residency requirements from 3 to 5 years on the basis that residents who may have specific vulnerabilities or have fled domestic abuse either from an Islington address or from another part of the country would be excluded from being able to join the Housing Register.</p> <p>Though the proposal is to increase the years of residence, the service has made exceptions for specific applicants who have fled another area as a result of domestic abuse, threats of violence and members of the Armed Forces. The threshold for the provision of evidence of domestic abuse is also set relatively low as the council adopts a case specific, trauma informed approach that doesn't necessitate the provision of police reports to evidence domestic abuse.</p> <p>This approach ensures the the council's Scheme meets the principles of the Public Sector Equalities duty, Housing Act and Domestic Abuse Act. There also remains an option for the Service Director to decide to exercise their discretion to waive residency requirements for groups of applicants that are not described in the examples above.</p> <p>Conversely, a number of residents suggested that the residence criteria should be a longer period of 10 years or more to join the Housing Register with the exceptions for those seeking to join due to having fled from another area. Consequently, the service view is that a modest increase from 3 to 5 years strikes the right balance of fairness and ensuring those with the greatest need are able to secure social housing.</p> <p>The recommendation is therefore to proceed with this change as 71% of respondents to the consultation support this approach.</p>
<p>Splitting households</p>	<p>In relation to shared residency arrangements, one respondent stated that provision needed to be made for families where a parent and/or child has disabilities that might require that a child has a bedroom in both households so that their care needs could be met and to ensure the rights of those with disabilities.</p> <p>The provision of extra rooms in social housing properties between sets of parents with shared residency arrangements would not be aligned with the responsibility to maximise the utilisation of social housing particularly when there are over 500 severely overcrowded families in borough keen to move to a more suitably sized home.</p> <p>It should be noted that this type of example is relatively uncommon. Where it does arise, the service will ensure a holistic assesment of both parents accommodation and or health needs, the child's disabilities and reach a</p>

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal
	<p>decision on whether greater priority should be afforded to the parent in greater housing need.</p> <p>The recommendation is therefore to proceed with this change as 57% of respondents to the consultation support this approach.</p>
<p>Prevention of Homelessness Points- new points allocation</p>	<p>The new proposal to award 30 points to homeless applicants for whom the council had accepted a prevention or relief duty and 70 points to those owed a main housing duty if they were to accept a private sector tenancy solution was of concern to a key partner. The rationale underpinning this proposal is multifaceted. By asking homeless applicants to consider accepting a private rented sector solution, the service aims to:</p> <ul style="list-style-type: none"> <li>• reduce multiple moves for applicants between temporary accommodation properties</li> <li>• minimise the need for the individual to remain in temporary accommodation for potentially several years thereby removing the uncertainty that they face whilst in temporary accommodation</li> <li>• reduce the inordinately high numbers of households in temporary accommodation which as of March 2023 is just over 1000 households and most likely will increase further</li> <li>• reduce the resulting costs of temporary accommodation to meet the councils medium and long term savings plans</li> <li>• suppress the London wide demand for temporary accommodation</li> </ul> <p>As part of this proposal, the service intends to enhance the offer to the individual by:</p> <ul style="list-style-type: none"> <li>• ensuring the private rented sector (PRS) offer is suitable, affordable and meets the council's expected standards as set out the Private Rented Sector charter</li> <li>• identifying PRS properties as close to Islington as is affordable and possible in line with the council's Temporary Accommodation proposed framework on offers in the PRS</li> <li>• referring them to local support services where this may be requested/required</li> <li>• ensuring that they are informed in writing and by their housing officer that by accepting the offer of a private rented sector property under the stipulations noted above that they will be able join the council's housing register</li> <li>• explain that in addition to the 30 or 70 points they receive, they will also be awarded 100 residency points even though they would be living outside the borough, to enable them to retain a tangible anchor to Islington and bid for properties advertised on the council's Choice Based Lettings Scheme</li> <li>• alerting the individual to the fact that if they present with other housing needs (eg medical/ welfare) or experience a change in circumstance,</li> </ul>

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal
	<p>a reassessment of their points could be requested as with any other resident in borough.</p> <p>The recommendation is therefore to proceed with this change as 66% of respondents to the consultation support this approach.</p>
Households who have sufficient financial resources to own or rent accommodation.	<p>There was a broad consensus that applicants with a total gross income from all sources exceeding an annual income of £90K would not be eligible to join the register. However, some residents expressed a view that applicants that had £16K or more in savings would not be able to secure a mortgage and that this would penalise those who had savings or were in work.</p> <p>These thresholds have been set to ensure those that are in greatest housing need are able to join the Housing Register. It is noted that £16K mightn't be sufficient to secure a mortgage. However, individuals with savings of £16K or more should be able to rent accommodation in Islington. These thresholds were set after extensive analysis of average earnings in Islington and having factored in the impacts of the costs of living on our residents.</p> <p>By way of assurance to the Executive, these thresholds will be reviewed periodically to ensure they are in line with findings of the Office of National Statistics.</p> <p>The recommendation is therefore to proceed with this change as only 34% of residents do not support this approach.</p>
Succession	<p>Though there weren't any proposed amendments considered in this area within the Housing Allocation Scheme, the service received useful feedback that it has taken onboard. The two suggested amendments which are now proposed are as follows:</p> <ul style="list-style-type: none"> <li>• <b>Succession rights before and after 1 April 2013</b> <ol style="list-style-type: none"> <li>1. Clarification is provided to specify the definition of other family members.</li> <li>2. An amendment has been made to the length of time a person should have resided with the late successor tenant raising the current timeframe from 12 months to 5 years or the life of the tenancy (whichever is longer). This would mirror the overarching eligibility criteria for any resident to join the Housing Register, to be living in the borough for 5 years at the point of application.</li> <li>3. An additional statement has been inserted to clarify that the applicant seeking to succeed a tenancy will be barred from a succession if they already own a residential property within the United Kingdom or internationally. This is to ensure fairness and makes best use of the council's limited housing resources.</li> </ol> </li> </ul>



Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal	
	Current wording	Change to be made following feedback (in bold)
	<p><b>Succession rights before and after 1 April 2013</b></p> <p>In relation to tenancies that started before 1 April 2013, a person can succeed to a council tenancy on the death of a tenant if they are the tenant's spouse, civil partner or other close family member.</p> <p>From 1 April 2013 new tenancies can only be succeeded to by a spouse or partner. Where other family members have been resident in the property for the previous 12 months and the property is suitable according to their housing needs, we will permit a succession to the tenancy.</p> <p>Where there is under-occupation or the property is unsuitable due to an occupancy criteria e.g. an over 55 block we will enable the family member to be offered the tenancy of an alternative, suitably sized property.</p>	<p><b>Succession rights before and after 1 April 2013</b></p> <p>In relation to tenancies that started before 1 April 2013, a person can succeed to a council tenancy on the death of a tenant if they are the tenant's spouse, civil partner or other close family member.</p> <p>From 1 April 2013 new tenancies can only be succeeded to by a spouse or partner. Where <b>other family members [as defined by Section 113 of the Housing Act 1985]</b>, have been resident in the property <b>with the late successor tenant for the previous 5 years or the life of the tenancy (whichever is longer)</b> and the property is suitable according to their housing needs, we will permit a succession to the tenancy.</p> <p>Where there is under-occupation or the property is unsuitable due to an occupancy criteria e.g. an over 55 block, we will enable the family member to be offered the tenancy of an alternative, suitably sized property.</p>

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal	
		<p><b>Family members applying for a succession will be barred from succeeding a tenancy if they own a residential property anywhere within the United Kingdom or internationally.</b></p>
	<ul style="list-style-type: none"> <li>• <b>Discretionary succession</b> <ol style="list-style-type: none"> <li>1. Clarification is provided to specify the definition of other family members.</li> <li>2. An amendment has been made to the length of time a person should have resided with the late successor tenant raising the current timeframe from 12 months to 5 years or the life of the tenancy (whichever is longer) and if the council may owe a housing duty as defined within the section 189 of the Housing Act (1996). This would mirror the overarching eligibility criteria for any resident to join the Housing Register, to be living in the borough for 5 years at the point of application.</li> <li>3. An additional statement has been inserted to clarify that the applicant seeking to succeed a tenancy will be barred from a succession if they already own a residential property within the United Kingdom or internationally. This is to ensure fairness and makes best use of the council's limited housing resources.</li> </ol> </li> </ul>	
	<p><b>Current wording</b></p>	<p><b>Change to be made following feedback (in bold)</b></p>
	<p><b>Discretionary succession</b></p> <p>In certain circumstances the council or Partners for Improvement in Islington may grant the tenancy of a property to people resident in the property who were members of the tenant's family if there had already been a succession. This is known as a discretionary succession.</p> <p>Where a discretionary succession is agreed, consideration will be</p>	<p><b>Discretionary succession</b></p> <p>In certain circumstances the council or Partners for Improvement in Islington may grant the tenancy of a property to people resident in the property who were <b>members of the tenant's family [as defined by Section 113 of the Housing Act 1985]</b>, if there had already been a succession. This is known as a discretionary succession.</p> <p><b>Discretionary successions may be approved in cases where the</b></p>

Key consultation feedback themes	Response to the feedback and rationale for the recommendation to proceed with the proposal	
	<p>given to the suitability of the property being occupied. A tenancy will be granted for the occupied property if it is of the right size and does not have adaptations or features required by disabled people and there are no arrears on the applicant's account. Right size means the household will not under occupy the property according to the council's rehousing standards.</p> <p>Applicants agreed for discretionary successions that are under-occupying or occupying an adapted property may be offered rehousing in another suitable property. These applicants will be given 150 points"</p>	<p><b>applicant has resided with the late successor tenant for the previous 5 years or the life of the tenancy (whichever is longer) and if the council may owe a housing duty as defined within the section 189 of the Housing Act (1996).</b></p> <p>Where a discretionary succession is agreed, consideration will be given to the suitability of the property being occupied. A tenancy will be granted for the occupied property if it is of the right size and does not have adaptations or features required by disabled people and there are no arrears on the applicant's account. Right size means the household will not under occupy the property according to the council's rehousing standards.</p> <p>Applicants agreed for discretionary successions that are under-occupying or occupying an adapted property may be offered rehousing in another suitable property. These applicants will be given 150 points.</p> <p><b>Family members applying for a succession will be barred from succeeding a tenancy if they own a residential property anywhere within the United Kingdom or internationally.</b></p>

#### 54. Equalities Impact Assessment

55. During and following the development of the recommendations an equalities impact assessment has continuously been carried out attempting to identify any unintended consequences of the proposed Scheme changes.

56. An Equalities Impact Assessment (EIA) considers whether any particular group of people is affected adversely as a result of a Scheme change which, if it does, might result in the Scheme being amended. The EIA categorises each applicant (where we have the information) by

**Ethnicity**

**Religion or belief**

**Family Type**

**Pregnant or not**

**Sexuality**

**Disability**

**Age**

**And gender now compared with birth**

57. Below is a summary of the much larger assessment.

58. The possible impact of proposed changes is spread very evenly across the register and applicants with protected characteristics are not disproportionately affected.

59. In some cases, the percentage of applicants, in a specific cohort, affected is reasonably high but the numbers are so small that they are not statistically significant.

60. No protected characteristic group is disproportionately affected.

**61. Next Steps**

62. Following approval by Executive, the project will move into stage 2 as follows:

63. Full mapping out of the new Scheme will need to take place with the Information Technology system, to make sure the I.T functionality reflects the new Scheme. This part of the project will be undertaken by the IDS team at Islington Council and the IT provider.

64. Communication and Training Plan. As with previous Allocations Scheme reviews the Council will need to deal with a large number of enquiries from applicants whose priority has changed. This will undoubtedly be reflected in Members' case work. To mitigate this, as much as possible, the Council and Housing Association partners will develop and implement

a robust communications and training plan. This will include extensive work to help applicants understand the new Scheme and what it means for their application, offering advice and assistance when needed.

65. Re-housing Applications. Applicants will be given time to review their current application and re-register to make sure their application reflects their needs and so that they can be assessed against the new Scheme and placed in the relevant priority band.

#### 66. Timetable

The proposed implementation timetable is as follows:

- May to September 2023 I.T. changes preparation
- September 2023 – November 2023 Comms and Training Plan
- November 2023 I.T. changes & testing
- November and December 2023 System and housing options training
- January and February 2023 Re-registration of applicants as necessary
- March 2024 “Go live”

#### 67. Review of the Housing Allocations scheme

68. The Housing Allocations scheme will be the subject of an annual review to ensure there are no un-intended consequences following the introduction of the changes contained within this report and the outcome of this review reported publicly.

69. A formal and comprehensive review will be undertaken in 2026 with a new housing allocations scheme proposed towards the end of 2026/2027 financial year.

### **70. Key Policies and Considerations**

#### (a) Equal Opportunities

1. No equalities issues – full EIA carried out, when implemented the revised Scheme will be reviewed at 12, 24 and 36th months for any unintended consequences.

#### (b) Risk Management

2. If a decision is made not to approve the recommended changes it is highly likely given the data analysis over the last four years that the number of applicants on the housing register and in housing need will continue to rise, along with the number of households placed in temporary accommodation.

## **Implications**

### **71. Financial Implications**

72. The package of measures proposed in this consultation are not currently quantifiable. The measures proposed in this package are designed to improve the

efficiency and effectiveness of the Housing service's operations. The measures are not designed as part of any existing or proposed savings.

73. In evaluating the package of measures in the Housing Revenue Account and in the Housing General Fund it is possible that they will reduce spending and total costs. The financial upside from the measures may come from the likely reduction in numbers in TA, time spent in TA, and the level of HRA cases in TA.

74. Measures relating to prioritising Domestic violence cases could have financial upsides. They can be shown to realise significant savings in the HRA. Currently those living in social housing who are victims of domestic violence may be housed in TA pending them being offered alternative accommodation. This leads to often long periods where tenants occupy TA and retain residency rights on their existing vacant property, paid for by the HRA after the first 12 months of occupancy. The current proposal would reduce the time period of those cases in TA, thereby reducing the cost to the HRA. The HRA pays for a significant amount of TA, over the last 3 years the HRA has been charged:

Financial Year	HRA TA Cost (£)
2019-2020	650,645.00
2020-2021	652,555.00
2021-2022	878,767.00

75. Of the HRA cases in TA, based on FY2021/22 figures, 67.25% related to domestic violence. If 50% of these domestic violence cases can be reduced through the measures in the consultation it is possible to realise up to a £295,485 reduction in costs based on FY2021/22 figures.

76. There is the possibility for costs either upfront or on a recurring basis for any adaptations to the working of the IT system to make sure it can provide the necessary functionality for the new allocations scheme. It is not currently possible to quantify this cost.

## **Legal Implications**

77. The revised Housing Allocation Scheme meets the statutory requirements of Part 6 of the Housing Act 1996. Furthermore, in drafting the Scheme, consideration has been given to the relevant statutory guidance and the Equalities Impact Statement.

78. The consultation responses have been considered and some amendments are proposed. The amendments relate to succession rights after 1 April 2013 and discretionary successions; the proposed amendments are in accordance with Part 6

of the Housing Act 1996. They will not lead to a major change in policy, are minor in nature and therefore no further consultation is required.

## **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

79. There are no known environmental implications associated with this report.

### **Equalities Impact Assessment**

80. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

81. There are no equalities issues – full EIA carried out, when implemented the revised Scheme will be reviewed at 12, 24 and 36th months for any unintended consequences.

## **Conclusion and reasons for recommendations**

82. The implementation of the new housing allocations scheme will make Islington a more equal place to live and also promote the council's CARE values.

### **Appendices:**

- Appendix One The proposed new Housing Allocations scheme.
- Appendix Two The proposed changes to the Housing Allocations scheme
- Appendix Three The Equality Impact Assessment

### **Background papers:**

- None

**Final report clearance:**

Approved by:

**Cllr O'Halloran Executive Member for Homes and Communities**

Date: 3<sup>rd</sup> July 2023

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# Housing allocation scheme 2023 **DRAFT**





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A large, light blue outline of a house with a gabled roof, a central door with a doorknob, and a chimney on the right side. The house is centered on a solid blue background.

# Introduction

# Introduction

Every local Housing Authority is required to have a Housing Allocation Policy. This document is the Islington Council's revised Allocations Policy in accordance with the requirements of The Housing Act 1996 (Part VI) as amended.

The Policy (more commonly called an allocation scheme) determines priorities and defines the procedures to be followed in allocating social housing in Islington as well as governing the way in which Islington Council's Housing Register operates.

Islington Council's Allocation Policy is a Choice Based Letting scheme where applicants are able to bid for advertised vacant properties. The Choice Based

Lettings scheme is a partnership between the Islington Council and the majority of the Registered Providers (commonly referred to as Housing Associations) with housing stock in Islington. The scheme makes it easier and convenient for applicants to look for affordable rented homes in one place rather than have to join many different landlords' registers.

Each of these Registered Providers have voluntarily 'signed up' to a common policy to ensure that all applicants applying for social housing in Islington are provided with a single route of access and assessed using a single policy. Where any individual housing association lets vacant properties to which the Council has nominations rights, this policy will apply to any nomination.

Participating Housing Associations have agreed to advertise their available vacant properties through the scheme and in accordance with this policy. That does not prevent an Association for urgent management reasons transferring an existing tenant to another property owned by that association outside of this Policy.

The Policy covers the allocation of the Council's vacant housing stock and the nomination of any applicant under the scheme to be an Assured or an Assured Short-hold tenant of housing accommodation held by any participating Housing Association.

It sets out who is, and who is not, considered for social housing in Islington and how the Council will make this assessment. It covers how applicants can apply for, and access social housing, the priority they will be given, and the order in which any offer of social housing will be made.

It should be noted that in certain circumstances a participating Housing Association might apply their own rules about allocating a property. Where there are rules set by a Housing Association that differ from the common policy the intention is to set this out in a link to the on-line policy.

This is a revised Housing Allocation Scheme and will take effect in respect of all allocations of housing on or after to be confirmed. The assessment of need and qualifying criteria set out in this policy will be applied to all new and existing applicants from this date. This means that all existing applicants at this date will have to be reassessed for qualification and for priority and all allocations made from this date will also follow the new provisions of the housing allocations scheme. However, no changes will take place relating to the award of the existing priority date of the applicant. Therefore, all existing applicants will retain the priority date regardless of any priority point changes that may take place.

This is the Council's published Allocation Policy and can be viewed online at [islington.gov.uk](http://islington.gov.uk). A copy of the full Policy is also available free of charge, along with a summary document available on-line and in print form (including large print). The summary document is available in community languages.

This document also sets out Islington Council's procedures for determining priorities. In revising the Allocation Scheme, the council has also taken into account the following documents, among other sources:

- 1996 Housing Act (as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017)
- Government guidance
- Localism Act 2011
- Section 10 and 11 of the Children Act 2004

The scheme is guided by the following principles:

- The overall aim of the policy is to ensure that social housing is allocated fairly and objectively to those in the greatest housing need.
- More generally the policy aims to achieve the following key objectives:
  1. A common housing register which will enable residents in housing need to access social housing across Islington
  2. To provide a high quality service to residents
  3. Meet the legal obligations of the Council, namely to give appropriate priority to residents who fall within the Housing Act "reasonable preference" categories
  4. Help prevent homelessness and offer realistic choice to those with a housing need
  5. Improve local mobility across the London Borough of Islington
  6. To ensure that housing is allocated to those most in need or at risk and to ensure that, as far as possible, resources are targeted at local people;

## Legal Context

7. To contribute to creating balanced and sustainable communities, promote the council's equality principles and be mindful of the communities we create
8. To ensure that every resident is treated fairly and consistently irrespective of race and ethnicity, disability, gender/gender reassignment, sexual orientation, religion and belief and age.
9. Be a Policy that is simple to understand, transparent and is seen as fair and accountable by applicants and Islington residents generally
10. It must comply with statutory rules set out under legislation and accompanying regulations and take into account Codes of Guidance issued by central government from time to time
11. The housing allocation scheme contributes to ending homelessness and eliminating rough sleeping
12. The scheme must complement the council's other responsibilities, for example meeting social care needs and minimising financial risk to the council.

This is the Council's Housing Allocation Policy as required by Part 6 of the Housing Act 1996. Residents are able to apply for housing to the Council and all applications will be fully assessed.

In developing this policy the Council has followed and fully considered among others the following housing legislation, regulations, statutory guidance, and strategies:

1. The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
2. The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
3. Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code";
4. Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) "Supplementary Code".
5. Right to Move guidance (DCLG, 2015)
6. Improving access to social housing for victims of domestic abuse (MHCLG, 2018) and Improving access to social housing for members of the Armed Forces (MCLG 2020)
7. Homelessness code of guidance for local authorities (MHCLG, 2018)
8. Plus the following statutory regulations:
  - a. Allocation of Housing (Procedure) Regulations 1997, SI 1997/483;
  - b. Allocation of Housing (England) Regulations 2002, SI 2002/3264;
  - c. Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments

- d. Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869;
  - e. Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989.
  - f. The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
  - g. The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)  
In relation to f) above in accordance with the Right to Move statutory guidance on housing allocations for local housing authorities in England (Department for Communities and Local Government, March 2015) a limit of up to 1% of nominations will be set for people looking to move for employment purposes.
9. The Domestic Abuse Act 2021.
10. The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2021 (SI 2021/665). New immigration route for people from Hong Kong with British National (Overseas) status.
11. The Allocation of Housing and Homelessness (Eligibility) (England) and Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) (Amendment) Regulations 2021 (S.I. 2021/1045). Eligibility of people who fled Afghanistan as a result of the collapse of the government for an allocation of social housing

## Regard to strategies

In framing our allocations scheme regard has also been had to the council's

Homelessness Strategy, Housing Strategy, Domestic Abuse Act 2021 Strategy and Tenancy Strategy and the London Mayor's Housing Strategy.

The legal framework – giving 'reasonable preference'

Part VI of the Housing Act 1996 (as amended) sets out that a local authority must design their allocation scheme in such a way as to give 'reasonable preference' to certain categories of people. These are prescribed by the Act and are as follows:

- a) People who are homeless within the meaning of Part VII of the 1996 Act
- b) People owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996 or under s65 (2) or s68 (2) of The Housing Act 1985 or who are occupying accommodation secured by any housing authority under section 192(3) of the 1996 Act.
- c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- d) People who need to move on medical or welfare grounds (including grounds relating to a disability).
- e) People who need to move to a particular locality in the district of the housing authority where failure to meet that need would cause hardship (to themselves or to others).



The scheme must also be framed so as to give additional preference to a person within one or more of paragraphs (i) to (iv) with urgent housing needs who:

- (i) Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable to the person's service;
- (ii) Formerly served in the regular forces;
- (iii) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable to that service: or
- (iv) is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable to the person's service.

### **The Allocation Policy applies when the Council:**

- a) Selects a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation owned by the London Borough of Islington).
- b) Nominates a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation held by another housing authority).
- c) Nominates a person to be an assured tenant or assured shorthold tenant of housing accommodation held by a Registered Provider (commonly referred to as Housing Associations).

The Policy does not apply to the following lettings:

- a) Introductory or probationary tenancies – Where an introductory/probationary tenancy becomes a secure or assured tenancy
- b) Family Intervention Tenancies – Introduced by the Housing and Regeneration Act 2008, Family Intervention Tenancies are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a housing association to anyone who is a tenant of a secure (or assured) tenancy subject to a possession order on the grounds of anti-social behaviour or domestic abuse or anyone who (if they had a secure or assured tenancy) could have had such a possession order made against them.
- c) Succession under S89 of the Housing Act 1985 (secure tenancies), under 133(2) of the Housing Act 1996 (introductory tenancies) or under S90 of the Housing Act 1985 (fixed term tenancies).

- d) Non-Secure tenancies or 'temporary accommodation' – Any accommodation that is provided to meet an interim duty under Part VII of the Housing Act 1996.
- e) Temporary decants – Secure or introductory tenants of a local authority or assured or assured shorthold tenants of Registered Providers who need to be moved temporarily whilst major work is carried out on their home.
- f) Demoted tenancies – Following a successful application for a demotion order under sections 14 and 15 of the Anti-Social Behaviour Act 2003.
- g) Mutual exchanges between existing tenants under S92 of the Housing Act 1985 or under S158 of the Localism Act 2011.
- h) Assignment to a person who would be qualified to succeed the tenant under S92 of the Housing Act 1985 (secure tenancies) or S134 Housing Act 1996 (introductory tenancies).
- i) Conversion of an introductory tenancy to a secure tenancy under S125 Housing Act 1996).
- j) Transfers of secure or introductory tenancies by a court order made under certain provisions contained within matrimonial, family, children and partnership legislation.
- k) Allocation to a person entitled to rehousing under section 39 of the Land Compensation Act 1973.
- l) Allocation to a person whose home is repurchased under sections 554 or 555 of the Housing Act 1985 (defective dwellings).

### **Offer of Temporary Accommodation or private rented sector offers (PRSO)**

The Localism Act 2011 gave local housing authorities the power to discharge the main homelessness duty with an offer of private rented accommodation, and the

Homelessness Reduction Act 2017 allows for the ending of the prevention or relief of homelessness duties through an offer of private rented accommodation available for at least 6 months. For administrative purposes the London Borough of Islington have chosen to offer private rented properties through the Housing Register.

It should be understood, however, that such provision does not involve an allocation within the provisions of Part 6 of the Housing Act 1996. Applicants subsequently housed through the PRSO scheme in discharge of the full housing duty will then receive points. This will also include applicants housed into the Private Rented Sector to end the prevention or relief duty contained within the Homelessness Reduction Act 2017.

## Members of the Council, staff and their relatives

Elected Councillors cannot be involved in assessing housing applications or the allocation of housing. However this does not prevent them from seeking or providing information on behalf of their constituents.

Their prime role, as outlined in statutory guidance, is developing and approving future policy and holding officers of the authority to account for their actions.

In order to ensure that the Council is treating all applicants fairly, any application for housing from Councillors or employees of the Homes and Neighbourhoods Directorate of the Council will be assessed in the normal way, but an offer of housing must be approved by the Senior Officer in the Council with responsibility for administering the scheme. Housing Associations will apply their own rules in this respect.

Canvassing is not allowed in any circumstances by or on behalf of members of staff.

In addition, any Officer who knows an applicant personally or is related to the applicant will not be involved in the assessment of the application, in the allocation of a property to that applicant or in a nomination to a Housing Association. The Officer will be required to notify his/her manager of the situation.

Where an application is made from a member of staff within the Homes and Neighbourhoods Department that application must be authorised by the Head of Housing Needs.

## Making changes to the Policy

The Policy cannot be the subject of major changes until a copy of the proposed amendments has been sent to every private registered provider of social housing

and registered social landlord with which the Housing Association in London Borough of Islington have, that is subject to a nominations arrangements, as per section 166A(13) Housing Act 1996. Each provider association will be given a reasonable opportunity to comment on the proposals.

Any major proposed changes will require a full and detailed consultation process for those potentially affected by the changes and stakeholders. The Council will fully consider good practice guidance to public bodies on undertaking consultation on important policy matters when deciding the appropriate level and method of consultation for any changes.

All major changes must be approved by the Executive at Islington Council.

For minor changes to the policy, decisions will be delegated to the Director

of Housing Needs and Strategy in consultation with the Executive Member for Housing and Development. They will be able to approve any minor amendments to the scheme not considered likely to affect more than five per cent of lettings, following a report produced by the Head of Housing Needs and provided to the Director of Housing Needs and Strategy.

The Council will notify within a reasonable period, any major changes in policy to those it may affect.

### Equalities

The council serves a diverse community, and is committed to meeting the needs of that community in the provision of housing allocation, by working in partnership with other housing providers.

The council will ensure that people are treated fairly and equally and, when allocating housing, ensure that the allocation scheme and its operation do not discriminate unlawfully against any particular group.

The implementation of a clear and consistent allocation scheme goes hand in hand with equalities monitoring. The data collected is used to ensure that the scheme is being operated in a fair and non-discriminatory manner, as well as for the purposes of regular equality impact assessments and subsequent improvements to service delivery. All applicants to the Housing Register are asked to provide details of their protected characteristics to enable monitoring to take place. There is no compulsory requirement to provide the relevant information and failure to do so does not affect an applicant's chances of rehousing. However, applicants are strongly encouraged to comply and informed of the important purpose this information serves.

The council recognises that it is important that everyone who applies for rehousing understands the allocation scheme. The council will produce information leaflets, translations and copies in other formats on request.

Under the Equality Act 2010 and in particular the Public Sector Equality Duty under section 149, Local Authorities are required to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, in their exercise of a public function.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Council will ensure that its policy complies with the current equality legislation and with the relevant statutory codes and guidance. The new policy will be subject to a full, detailed Equality Audit before it is adopted and this will be regularly reviewed as monitoring information about the impact of the policy is obtained.

## Policy statement on choice and preferences

The Council wishes as far as possible to give choice to customers who are looking to obtain social housing. This is why it operates a 'choice based letting scheme' to give applicants the best possible choice over where they may wish to live.

The Council also seeks to enable applicants to express a preference over the area in which they would like to live and the type of property they would ideally like. However, all applicants should be fully aware that the Council's ability to satisfy a preference might be severely limited by housing pressures.

The Council will ask all applicants or the lead professional to state those areas where they believe they cannot live due to fear of violence, harassment or domestic abuse. The Council must be satisfied such factors exist and that it should, on the facts, take into account the concerns stated by the applicant in these circumstances.

The degree of choice that the Council is able to offer is limited by housing pressures, the responsibility which the Council has to some groups in urgent housing need and the need to reduce the financial impact of temporary accommodation on the Council.

Demand for Social Housing (Council and Housing Association Housing) in Islington far outstrips supply. It is estimated that only 7% of applicants will be housed through this housing allocations scheme due to the limited availability of accommodation and the growing demand for housing from the reasonable preference groups.

Unfortunately, for most applicants registered the solution to their housing needs will not be met via an offer of social housing made through this Policy. The Council will therefore work with applicants to look at alternative ways of meeting their housing need, mainly through the provision of housing advice, assistance and support.

The Council will therefore support applicants to choose the Housing Option which is best for them including: promoting a wide range of options, such as low cost home ownership, mutual exchanges, and the private rented sector. Furthermore, by providing information and free advice about staying put options such as aids and adaptations and mobility schemes, the Council can ensure that it promotes independent living for all applicants wishing to be re-housed.

Expressing a preference over where an applicant would prefer to live does not mean that the Council will be able to meet that preference, or that the Council will not offer suitable accommodation outside of a preferred area.

Specifically, for applicants owed the section 189B(2) Relief of homelessness duty, or the Main section 193(2) duty under Part 7 of the Housing Act 1996, or where an applicant has an urgent housing need that must be met immediately, although the Council supports the ability of applicants to express a preference for where they wish to live, the Council is of the view that what is paramount is the need to offer suitable housing, which may not be possible in the location preferred by the applicant.

### Discretionary powers

The allocation scheme cannot cover every eventuality. In special cases with exceptional needs, the Service Director for Housing Needs and Strategy has discretionary power to, for example, award additional priority and approve offers of housing, taking into consideration all factors relevant to housing and social needs.

A large, stylized outline of a house in a teal color, centered on the page. The house has a gabled roof, a central door with a doorknob, and a small window to the right of the door. The text is placed inside the house's outline.

# Chapter 1 Housing Register

# Applying for social housing

## - joining the Housing Register

Any person may apply to the council to join the Housing Register. However not everyone will be eligible or qualify for housing.

### The Housing Register

#### What is it?

The Housing Register is a list of applicants registered for council or housing association properties. It is governed by Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 and Localism Act 2011.

#### Who can apply?

Anyone can approach the council for advice and assistance; however the council does exclude certain categories of people from the housing register.

### Applicants who cannot join the Housing Register

People in the following categories are not eligible to join the housing register.

- **People from abroad**

A person is ineligible and may not be allocated accommodation under Part VI of the Housing Act 1996 who is either a person subject to immigration control and is not within a class of persons set out in regulations made by the government or is within a class of other persons from abroad set out in regulations made by the government unless they are:

- already a secure or introductory tenant, or
- an assured tenant of a private registered provider of social housing or registered social landlord.

People in the following categories are not 'qualifying persons' and are not able join the housing register.

1. **Unacceptable behaviour**

Generally, applicants or members of their household who have committed or been involved in unacceptable behaviour serious enough to make them unsuitable to be council tenants will not be accepted onto the Housing Register.

Unacceptable behaviour may include:

- failing to pay rent
- breaching a condition of the tenancy agreement



- causing a nuisance to neighbours
- being convicted of using their home for immoral or illegal purposes
- making a false statement to obtain a tenancy
- causing the condition of the property to deteriorate by a deliberate act
- being convicted of an indictable offence, in or in the vicinity of their home
- being convicted of a Anti-Social Behaviour offence, in or in the vicinity of your home
- being the perpetrator of domestic abuse, violent, coercive or controlling behaviour towards a resident of the borough.

## 2. Non-Residence

People who are not resident in the borough on the date of application and have not continuously lived in Islington for at least five years from the date they apply for housing cannot join the housing register. Applicants must also continue to live in the borough if they wish to remain on the housing register. Exceptions may be made if they are:

- Resident in a hospital
- Resident in supported housing
- Serving a custodial sentence and were resident in Islington for five years prior to entering hospital/ custody.
- Housed through an agreement with other local authorities, for example through a mobility scheme or following an itinerant lifestyle (confirmed by a support agency) and have assessed care needs that can only be met in Islington.
- Accepted homeless applicants under section 193 of the Housing Act 1996
- Other homeless applicants who have accepted a PRSO offer as a prevention of homelessness
- Moving due to domestic abuse
- An exception will also be made where an existing social tenant needs to move to take up employment or an apprenticeship in Islington where;
  - They are in, or under definite offer of, paid work or an apprenticeship and,
  - have signed, or been offered, a contract of employment or an apprenticeship agreement for a minimum period of 12 months, and
  - will work 16 hours per week on average in Islington, and
  - earn the national minimum wage
  - and where failure to meet that need would cause hardship to that person or others
- An exception will also be made where an applicant :
  - a) Is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act;
  - b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
    - (i) The spouse or civil partner has served in the regular forces; and

- (ii) Their death was attributable (wholly or partly) to that service; or
  - (iii) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.
- Or in any other exceptional circumstance.
3. **People who own or jointly own or part-own a property which is reasonable for them to occupy. If you recently owned a home you will be asked to provide evidence of the sale and give details of any capital gained from the sale**
  4. **People who are social housing tenants, or joint tenants, of any other local authority or housing association outside of Islington regardless of the type of tenure. Exceptions may be made if you are a Corporation of London tenant living in the borough of Islington or in the circumstances set out above in relation to a need to move to take up employment or an apprenticeship or have a Right to Move.**
  5. **People applying for housing, or for a housing transfer, who have fewer than 100 points under the points scheme (see below page 7)**
  6. **Households placed in Islington by another local authority which has an interim or long term duty to them as a homeless applicant.**
  7. **Households who have sufficient financial resources to own or rent accommodation.** Applicants who are considered to have sufficient financial resources to buy or rent suitable accommodation in London Borough

of Islington will not qualify for the register. 'Sufficient financial resources' are defined as sufficient capital to buy; or sufficient income to raise a mortgage to buy, or a combination of both; or sufficient income to rent. How an applicant will be assessed to determine if they have sufficient financial resources is set out below: The income and savings limits set are: a) Applicants who have total savings, investments and/or assets of £ 16,000 or more b) Applicants whose households total gross income from all sources exceeds an annual income of £90,000. 'Sufficient capital' includes any assets or investments even if they are not immediately available to the Applicant, such as any residential or non-residential property that they own or part own anywhere in the world. Valuation evidence of any capital or assets will be required. However, any lump sum received by a member of the Armed Forces as compensation for an injury or disability on active service is disregarded. Although this qualification rule will mean an applicant cannot join the active bidding register it does not prevent applicants being considered for any Low Cost Home Ownership schemes, such as Rent to Buy, Shared Ownership/Equity, Discounted Market Sale and Starter Homes. Advice can be given on request regarding which Housing Associations or developers are currently operating any of the above schemes and how applications can be made directly to any provider.

Details of how to appeal against a decision on eligibility and qualification for the housing register can be found in **chapter 10**.

## How to apply

There is a limited amount of social housing available each year. We strongly advise that other housing options are considered. Advice and information regarding other options is available at:

**[www.islington.gov.uk/findingahome](http://www.islington.gov.uk/findingahome)**

Applications for housing and for a housing transfer can be made at

**[www.islington.gov.uk/housingapplication](http://www.islington.gov.uk/housingapplication)**

Target timescale for making a decision on an application is within 28 days of the information in support of the application being complete and where the Council has all the necessary information to assess an application. Then a decision will be made and notified on the following, including brief reasons:

- Whether or not to admit the applicant to the Housing Register
- If the applicant is admitted to the Housing Register, what priority points will be given
- That there is a statutory right of review

Information about the average points needed to secure social housing in Islington can be viewed online at:

**[www.islington.gov.uk/findingahome/councilhousing](http://www.islington.gov.uk/findingahome/councilhousing)**

Applicants approved for rehousing will need to provide satisfactory evidence of identity, and past and current residence for themselves and all household members. The council will request documentary evidence from each applicant and we will seek your consent to carry out enquiries as necessary to progress your application.

## Change of address and/or circumstances

It is the responsibility of all applicants to notify the council in writing of any change in their accommodation or household circumstances. It may be necessary to provide documentary evidence to support the change in circumstances. Applications may be deactivated during the period whilst the council reassess the information provided by the applicant.

The reassessment of the application may result in the increase or decrease of points. All applicants will be notified in writing of any changes.

**[www.islington.gov.uk/changeapplication](http://www.islington.gov.uk/changeapplication)**

## Reviewing the Register

Every applicant on the Register will have their application reviewed annually, or more frequently as decided by the Council in order to manage the administration of the register. A letter will be sent to all customers requesting confirmation of their current circumstances and that they wish to remain on the register. If a reply is not received within 28 days of the date sent their application would be cancelled.

Adding adults to an application Adults may not be added to an application where this would result in the need for larger accommodation than originally assessed, unless the applicant can demonstrate a need to join the household.

### Making a Housing Register and homelessness application

Where an applicant has a housing register application, and subsequently makes a homelessness application, the housing register application will be re-assessed once the homelessness application has been determined.

### Rehousing standards

The council's rehousing standards determine the size of accommodation that may be offered.

The housing size standards operated by the council are:

- people aged 16 years or older not living as a couple should not have to share a bedroom
- people of opposite sex where one or both is over the age of 10 should not have to share a bedroom unless they are both over 16 and living as a couple
- no more than two people should have to share a bedroom
- A confirmed pregnancy over 24 weeks supported by details of the expected date of delivery counts as a child.

In exceptional cases, an extra bedroom may be agreed on medical or welfare grounds where the nature of a condition suffered by a household member makes it essential to have a separate bedroom.

Applicants may bid for properties that are one bed size smaller than their housing requirements. This decision is at the discretion of the rehousing manager or the housing options manager.

### Size standard

- Single person Bedsit
- Single person or couple with no children 1 Bedroom
- Couple or single person with 1 child 2 Bedroom
- Couple or single person with 2 children 2/3 Bedroom (dependent on age/sex of children)
- Couple or single person with 3 children 3 Bedroom
- Couple or single person with 4 children 3/4 Bedroom (dependent on age/sex of children)
- Couple or single person with 5 or more children 4+ bedrooms

### Large households

With the household's agreement consideration may be made to offering two separate properties to a large household. The council will consider the types of properties required and ensure that there is an adult as part of each tenancy.

### Dividing households

A council tenant may request one or more separate properties for their authorised household members. The council will only agree to this request where:

- the tenant and the authorised household members move to one bedroom properties;
- the number of one bedroom properties required does not exceed the number of bedrooms in the original larger home;
- the tenant and household member is rehoused simultaneously

### Shared residency of children

Where children are subject to a shared residency arrangement the children are only considered to need one home of adequate size. Where either parent has a home of adequate size the remaining parent will be assessed as having overnight access only and no additional bedrooms will be agreed for the children.

### Households occupying more than one tenancy

Where a family unit is not currently residing together the assessment will be based on the part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together.

The residency qualification will be based on that part of the household with the longest residency in the borough.

### The points scheme

Applicants are given points for housing need factors and these points are added together. Only one award of points will be made for each housing need, even if the need could fall within more than one category. The needs of all individuals in the applicant's household will be taken into account when points are given. Points may be reviewed upon a change in circumstances and varied upwards or downwards.

Applications which are assessed as having fewer than 100 points will not be included on the Housing Register.

The points scheme is summarised in a table on **page 34**.

### Housing Transfers

Council or housing association tenants seeking a transfer, and living in unsatisfactory conditions and/or needing to move for example because of medical or welfare reasons or because they are overcrowded, generally qualify for inclusion on the housing register and their priority is determined according to the Allocations Scheme.

Low priority transfer cases can be assisted to move through other schemes which already exist to help tenants move both in and out of borough – see chapters 2 and 6.

### Points are given to applicants on the Housing Register as follows:

#### Residence points

100 points are awarded to everyone who has been resident in the borough continuously for the last five years at the date of application or who meets one of the eligibility exceptions listed above

#### Waiting time points

Additional points for waiting time are awarded. The additional points are calculated at a rate of 5% per year on all points, except residence points and any previous waiting time points. The waiting time points will only be added to an application from the anniversary of the week that housing needs points are first added to an application, not the date that an application is first made.

#### Overcrowding

Applicants who have moved into accommodation without the permission of the landlord will not be awarded overcrowding points.

The Council will consider the rooms available to a household and assess the application accordingly.

- 20 bedroom lacking points are awarded for each additional bedroom required by the household.
- An additional award of 30 severely overcrowded points are awarded where the household is lacking two or more bedrooms
- 10 opposite sex overcrowding points are awarded where two people of the opposite sex have to share a bedroom and one is 10 years or older (unless they are over 16 and living as a couple.) Where there is more than one occurrence 5 additional points will be given per occurrence.

### Medical Points

#### Unsuitable housing due to medical condition or disability.

The council may give points if it considers that the accommodation of an applicant or a member of their household is unsuitable because of a medical condition.

Medical priority will be awarded according to the extent to which the health of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing alternative housing. No medical points will be awarded if the accommodation is suitable.

A household will be assessed together and one award made for the whole household.

There are three categories of medical priority:

#### Category A

– this gives the maximum 200 points. For this overriding priority examples include:

- In exceptional circumstances for households where a member of the household has an immediately life-threatening, life-limiting or progressive condition which is seriously affected by their current accommodation
- To serving members or former members of the regular forces or reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- Applicants ready to be discharged from hospital who: have somewhere to live but their accommodation is unsuitable due to their medical needs and cannot be made suitable through adaptations because of cost effectiveness or structural difficulties or the property cannot be adapted within a reasonable amount of time.

These points are awarded for six months only because we expect that applicants will have sufficient points to bid successfully for a suitable property within that time.

#### Category B

– is an award of 80 points and is for households where a member of the household's current housing conditions are having a major adverse effect on their medical condition. It will not apply where the effect of the housing conditions on health is moderate, slight or variable.

Examples include:

- Those who are housebound, or effectively housebound and cannot access the essential facilities in their home and there are critical concerns about their safety, for example through falls due to difficulties with access
- Those whose health is so severely affected by the accommodation that it is likely to become life threatening for example, where an applicant has significant mental health problems which are exacerbated by their accommodation
- Those with disabilities, who have restricted mobility and are limited by their accommodation such that they are unable to carry out day to day activities or have difficulties accessing facilities inside and outside of their accommodation and require rehousing into accommodation suitable for their use
- Those in overcrowded accommodation which puts the applicant at risk of infection, for example, where an applicant is immunocompromised

A household where two members are assessed as being **Category B** will be awarded 150 points

### **Category C**

– an award of 40 points for a household where the current housing conditions are having a moderate or variable effect on the medical conditions of one or more members of the household. It will not apply where the effect of the housing conditions on health is slight.

Applicants with a severe long term disability who wish to live independently may qualify.

The council's medical advisor may recommend the type, size and location of housing that is suitable including sheltered housing.

An offer of accommodation will not be made where medical evidence strongly suggests it would be detrimental to the health and well-being of the applicant.

### **Accessible Housing Register**

The Accessible Housing Register (AHR) is a way of storing and displaying information about whether a property has level access, has steps or has any adaptations such as a level access shower or stair-lift. When a property becomes vacant, the category and other access information will be displayed on the Home Connections website.

Each property has been assessed according to published building design guidance and allocated a category. These range from fully wheelchair accessible (A) to general needs housing (F).

The AHR category will be displayed in every property advertisement on Home Connections. This will include all wheelchair accessible properties. Disabled applicants will be able to identify properties that are likely to meet their needs and place a bid. The categories are a guide to how accessible a property is likely to be. Successful bidders will still need to view the property before accepting a tenancy.

### Property access categories

#### **Category A: Wheelchair accessible throughout.**

Designed to allow full use of all rooms and facilities to someone who uses a wheelchair all the time.

#### **Category B: Wheelchair accessible essential rooms.**

Properties designed or adapted to meet the needs of wheelchair users but may not offer full use of all facilities.

#### **Category C: Lifetime Homes.**

(Properties may have internal stairs. Where this is the case, the stairs are likely to be able to accommodate a basic-sized stair-lift.)

Designed to meet the space standards of Lifetime Homes. Main features include a level approach / entrance and wider doorways.

#### **Category D: Easy access.**

(Properties may have internal stairs. Where this is the case, the stairs are likely to be able to accommodate a basic-sized stair-lift.)

Designed with level access to the property door.

#### **Category E: Step free.**

(Properties may have internal stairs. Where this is the case, the stairs are likely to be able to accommodate a basic-sized stair-lift.)

Level access housing but possibly with narrow doors and corridors.

#### **Category E+: Up to six steps.**

(Properties may have internal stairs. Where this is the case, the stairs are likely to be able to accommodate a basic-sized stair-lift.)

May have up to six steps to the home.

#### **Category F: General housing.**

Properties that do not meet the above specifications.

#### **Category G: Not yet assessed.**

Any property we have not yet been able to assess.

### Carers

Applicants may apply for an additional bedroom for a carer if:

- There is an assessed need for a member of the household who would otherwise be expected to share rather than have their own room.
- An applicant or a member of their household requires personal care or supervision by day or night and an additional room is required for a live-in carer. In order to qualify a carer should

live with the applicant on a full time basis and provide care for at least 35 hours per week or have to provide overnight care for more than 3 nights a week. The applicant should be in receipt of Attendance Allowance or Personal Independence Payments at the middle or highest rate. The carer should normally be in receipt of carer's allowance or the applicant is receiving a package of care following a social work assessment that identifies a need for night time care.



## Welfare points

Welfare points may only be given where housing or other circumstances affect the welfare needs of the applicant or a member of their household.

One award will be made for the household.

Assessments may be carried out in liaison with social services or a support agency or the Social Welfare Panel.

**Welfare category A** is an award of **150 points** which may be awarded to applicants whose welfare needs are so severe that the protection of vulnerable adults or children is only possible in a permanent home and where the present housing circumstances could deteriorate to such an extent as to place household members, particularly children, at risk or in need of residential care unless permanent housing is offered. These points should only be awarded where housing or the domestic situation severely affects the welfare of the applicant.

In general, this very high award will rarely be made. If too many households receive this high award it will slow down the rehousing of the most vulnerable people.

Examples of this include:

- Where a property is declared unfit for habitation or has a category 1 hazard due to damp and mould, as confirmed by the Public Protection team, or Islington Diagnostic Surveyors and which has a severe impact on the household
- Where the applicant or a member of their household is severely vulnerable due to frailty or advanced age and is unable to be placed in temporary housing.
- Where the applicant or a member of their household has a learning disability

and needs to move into mainstream accommodation. This decision will be based on an assessment made by the Learning Disabilities Team. / Disabled Children's Service

- Where the applicant has undergone lengthy and expensive rehabilitation in residential surroundings and is ready to attempt independent living in the community and temporary accommodation would risk undoing the work of the centre or unit.
- Where the accommodation is required to meet the needs of a child in risk of severe harm or fatality due to their accommodation as assessed by Children's Services.
- Where there is a risk of a child within the applicants household coming into Local Authority care or residential care due to their housing situation
- Where it is necessary to move because of the threat of violence, abuse or harassment, including domestic and sexual violence except for council tenants who have been awarded 150 management transfer points
- Households where two members of the households are assessed as being Welfare Category B – see below.

**Welfare Category B** is an award of **80 points** and may be awarded in the following serious circumstances:

- Where an applicant or a member of their household has to move in order to be near a person to whom they give or receive care and support. The applicant should be in receipt of Attendance Allowance or Personal Independence Payments at the middle or highest rate. The carer should normally be in receipt of carer's allowance or the applicant is receiving a package of care following a social work assessment.

- Where the accommodation is required to meet the needs of a child who is in urgent risk of harm due to their accommodation as assessed by Children's Services.
- Where an applicant is experiencing a threat of violence, abuse or harassment that is impacting their living conditions
- Where accommodation is required to meet the needs of a child as assessed in a Child in Need (CIN) plan
- The applicant is living in such insanitary conditions that their welfare is prejudiced, and there are no remedies available to improve the conditions including where there is damp and mould.
- Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

**Welfare Category C** is an award of **40 points** may be awarded to applicants whose welfare needs are moderate and comparable to the following:

- The applicant was a substance abuser and had attended a rehabilitation programme. The applicant may be adequately housed but there is a need to move away from the immediate area where they are vulnerable.
- The applicant's household includes someone with a need for settled accommodation on welfare or medical grounds who cannot reasonably be expected to find accommodation for themselves in the near future.

- Former members of the regular forces or reserve forces.
- The applicant is living in such conditions that their welfare is prejudiced for example, where there is mould and condensation and limited remedies are available, to resolve the issue.
- Applicants with more than one child in a studio flat.

### Islington Care leavers, adult services and children services

The Service Director has discretion to agree housing for referrals from Islington Council Adult Social Services and Children's Services. Rehousing under these schemes may be in council housing or through nomination rights to a housing association.

The Housing Options manager will make an award of **150 points**. In exceptional circumstances, if rehousing has not been achieved within six months, an additional 50 points may be considered if the applicant has been making realistic bids.

Care leavers up to the age of 25 may be referred for housing and the Housing Options Manager will make an award of **90 points**.

### Decants and major works

Points may be given when a council tenant needs to be rehoused to allow for urgent, lengthy, and/or investigative repair work which is too disruptive for the household to remain in situ for example subsidence or structural problems, 120 point subject to full surveyor's report, and an estimated timescale of works, such as subsidence, structural problems etc.

- **60 points** for planned works as part of a block or estate upgrade that requires (temporary) vacant possession

- **120 points** subject to a full surveyor's report and timescale of works

Most moves required due to major works will be temporary and the tenant may be required to return to their original property upon completion of the work. In some instances, a permanent move may be agreed.

Where a council tenant needs to move due to re-development, demolition or disposal of their home 200 points will be awarded.

The council may also award major works or decant points in exceptional circumstances to allow a housing association tenant to move where the housing association cannot provide rehousing.

The council reserves the right to make an offer of housing outside the choice based lettings scheme to applicants who have been unsuccessful at bidding for properties.

These points will be reviewed every six months.

### Management transfers

These points are only awarded to council tenants where a move is necessary on management grounds. Points may be awarded as follows:

**150 points** may be awarded:

- Where there is evidence to indicate that the tenant is currently at risk of serious harm from a third party perpetrator(s). For example, risk of possible homicide, serious injury, assault or abuse including domestic or sexual violence
- where it can be evidenced that the risks can only be managed effectively by moving the tenant elsewhere

- where there is a corresponding safety plan in place setting out how the new address will be kept confidential, minimising the risks of the perpetrator (s) finding the victim / survivor

These points will be reviewed every six months.

**120 points** may be awarded:

- Where there is no current risk from a third-party perpetrator, but where there are other risks serious enough to jeopardise the sustainment of the tenancy. Examples include (this is not an exhaustive list and each case should be considered on its own merit / evidence):
  - o A tenant has a history of being subjected to abuse, neglect or other serious harm at the tenancy. Whilst this is now historic (i.e. there is no current risk from a third party perpetrator) the tenant is experiencing serious and ongoing post-traumatic stress to the extent that the tenancy is in jeopardy
  - o A tenant has severe and enduring mental health issues and has developed paranoid / delusional thoughts about the property or neighbours, to the extent that living there is having a serious impact on their ability to manage the tenancy or stay well.
  - o Long running neighbour disputes where both parties are equally hostile to each other, where there is a clearly evidenced high level of distress but where the issues are not serious enough on either side to warrant strong enforcement action being taken and where officers can evidence that a move will resolve the issues.

- o to applicants who release an adapted property where such an applicant no longer requires their current home and will therefore be releasing an adapted property by moving and are in unsatisfactory housing within 166A(3)(c)

**60 points** may be awarded for example :

- Where there other, less serious risks or concerns that jeopardise the sustainability of the tenancy and where officers can evidence that a move will resolve the issues (all cases will be considered on their individual merits)

### Points awards from previous allocation schemes

No points from previous Allocation Schemes will be retained.

Upon the introduction of this Allocation Scheme, all applicants will be reassessed.

### Review of points awarded

Applicants who have been awarded a high level of housing points, examples of which are listed below:

<b>Medical category A</b>	200
<b>Welfare category A</b>	150
<b>Management transfer</b>	150
<b>Decant points</b>	200
<b>Directors Quota</b>	150

These will be reviewed every six months by the Social Welfare Panel and may be removed if the applicant is either not bidding, not making realistic bids or the circumstances have changed.

### New generation scheme

The scheme is open to the adult children of council, housing association and private sector tenants living with their parents in the borough. This scheme is only open to applicants who require studio, one or two bedroom properties.

The criteria for the scheme are:

- applicants must be aged eighteen years or above
- applicants must be living as an agreed member of the household of an Islington resident
- applicants must have lived continuously as an agreed member of the household of an Islington resident for the five years prior to the date of application
- applicants must not have been previously housed by the council

**90 points** will be given to applicants who require two bedrooms.

**20 points** will be given to single applicants or childless couples who require a bedsit or one bedroom.

Additional priority will be given to applicants in overcrowded households through overcrowding points.

### Domestic abuse

Applicants fleeing domestic violence and abuse that have been assessed by MARAC (or any subsequent multi agency arrangement) as needing to move urgently for the safety and security of themselves and or any dependent children. These applicants will be awarded **30 additional priority points on top of all of the other priority points awarded for the identified needs.**

### Supported Housing Move On

**100 additional points** may be awarded to applicants in supported housing where it is in the council's wider strategic interest for these applicants to move on from supported housing

Examples where this may occur include:

- The applicant is in supported accommodation that they no longer need and that the council urgently requires that accommodation for other applicants
- The supported accommodation scheme is closing down or changing use
- The applicant has multiple complex needs and has a demonstrable need for settled accommodation in borough which they cannot reasonably be expected to find for themselves in the near future

### Statutory homeless applicants.

Any statutory homeless duty owed by Islington Council.

This will be defined only as:

- a) People where it has been verified by the authority that they are rough sleeping in the Islington Council area and meet the local connection rules
- b) People owed the prevention of homelessness duty under Section 195 (2)
- c) People owed the relief of homelessness duty under Section 189B (2)
- d) People who were owed the relief duty which has been brought to an end and are then owed a duty under s190.
- e) People who were owed the relief duty which has been brought to an end and are not in priority need.
- f) People who were owed the relief duty which has been brought to an end and are then assessed as being owed a duty under either s193 (2) or s193C (4).
  - 10 points are awarded to;
  - applicants who are threatened with homelessness or are homeless
  - accepted homeless applicants under section 193 of the Housing Act 1996

Applicants to whom the main duty is owed under section 193 of the Housing Act 1996 will be placed on the Housing Register.

Accepted homeless applicants in temporary accommodation may also be awarded the following additional points if they fall under one of the following criteria:

- **100 points** will be given to accepted homeless families in bed and breakfast, or in shared annexes for more than six consecutive weeks from the date of placement and who cannot be found suitable self-contained temporary accommodation. This does not include families placed in council owned reception centres.
- **40 points** will be awarded to accepted homeless households where the applicant needs to move due to financial hardship or where it is in the council's wider strategic interests or it helps the council manage temporary accommodation more effectively.

### Prevention of Homelessness

Applicants who were owed under Part VII of the Housing Act 1996 a prevention duty (section 195(2)) or relief duty (section 189B (2)) who have accepted a private sector tenancy solution will be awarded 30 points. Applicants who would normally be offered a section 193 (2) main housing duty and who have accepted a private sector tenancy solution will be awarded **70 points**.

### Service occupiers

Islington Council service occupiers who are retiring due to age or on medical grounds may receive **200 points**. They will be able to bid for any suitable vacancies that meet their assessed housing requirements.

These points will be reviewed every six months.

However, points will not be awarded to:

- Staff who are dismissed from the council's service for disciplinary or competence issues or for unsatisfactory attendance.
- Staff who resign from a post that has tied accommodation with it to take up employment outside the council.

Staff who need to move to another property because their service tenancy is unsuitable in terms of size or facilities may apply for a transfer in the same way as other council tenants. A transfer will be considered provided they can remain in the post at another property.

### Reciprocal rehousing arrangements

The Head of Housing Needs and the Housing Options Manager have the authority to consider and approve reciprocal rehousing requests made by other councils or housing associations.

### Applicants who have deliberately created unsatisfactory living conditions

The council will consider whether an applicant has exacerbated their housing circumstances. The council reserves the right to assess their needs on the basis of the home that was lost.

Examples of this include:

- a) Selling a property that is affordable and suitable for the applicant's needs.
- b) Moving from a secure tenancy or suitable private rented tenancy that they are able to afford and maintain to insecure or less settled or overcrowded accommodation.
- c) Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.
- d) Overcrowding property by moving in friends and/or other family members who have never lived together previously and/or have not lived together for a long time, then requesting re-housing to larger accommodation.
- e) Obtaining accommodation that leads to a situation of overcrowding where suitable sized accommodation was affordable.

The above list is not exhaustive. On overcrowding this will ensure that households will not be treated as occupying overcrowded accommodation unless the overcrowding has come about by natural growth/increases due to birth/adoption of a child, a child or children reaching the age of 10 or above, or the addition of other persons to the household with the written consent of the London Borough of Islington. This section does not apply to refugees and former asylum seekers who have no choice about leaving their previous housing for their own safety or to be reunited with their families

### **Under-occupation scheme**

The objective of the scheme is to make the most effective use of the limited housing stock by releasing properties for use to households who are living in overcrowded or temporary accommodation.

The under-occupation scheme may also provide a financial incentive for applicants who are under-occupying their property.

Under-occupying applicants in three bedroom, four bedroom or larger sized properties who would normally qualify for a one bedroom property may bid for a two bedroom property. However this will reduce their under-occupation points.

In some circumstances, it may also be possible for an under occupying household to be approved for a move to two or more properties where the household is releasing more bedrooms than will be occupied under the approved move.

Benefit changes may reduce the housing benefit that tenants of working age and who are under occupying their home receive. Advice and assistance can be obtained from the council.

Points are awarded as set out in the table on **page 34**.

### **Housing association and other council tenants living in Islington**

Applications from housing associations and tenants of other councils living in Islington are considered in the same way as Islington Council tenants if the housing association or council confirm in writing that Islington Council will be given nomination rights to the vacated property.

If the housing association and the other council does not agree to grant the council nomination rights as outlined above, the application will be assessed in accordance with general housing register procedures.

### **Rent arrears**

Generally, Islington Council or housing association tenants in rent arrears may not be eligible to bid for a property unless they have permission from their landlord.

Where an Islington Council or housing association tenant applies for a transfer and is registered but subsequently falls into arrears, they may not be permitted to bid unless the arrears are cleared.

## The points scheme

The description of criteria below and in the table on page 34 is given in brief summary only and is to be read in the context of the wording of the scheme as a whole.

Applicants who are resident in the borough or who are granted an exception under non residence criteria receive **100 points**. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants

Opposite sex overcrowding; where two people of the opposite sex have to share a bedroom and one is 10 years or older (unless they are over 16 and living as a couple receive **10 points**. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants (except those in reception centres)

Where there is more than one occurrence **5 additional points** will be given per occurrence. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants (except those in reception centres)

For each additional bedroom required, **20 points** will be given. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants (except those in reception centres)

Severely overcrowded points

An Additional **30 points** for households lacking 2 or more bedrooms will be given. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants (except those in reception centres)

Applicants sharing or lacking access to facilities i.e. cooking facilities, hot or cold water or toilet will be given **10 points**. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants (except those in reception centres)

The number of points given for medical needs depends on the which of the three categories (details are on page 22) the applicant comes under. **The points awarded are 40, 80 and 200**, this applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants

The number of points for welfare needs are also explained in more detail on page 25. **The points awarded are 40, 80 and 150**, this applies to:

- Transfer tenants



- Housing Association tenants
- Housing Register applicants
- Homeless applicants

Islington care leavers will receive **90 points**, this applies to:

- Housing Register applicants

Applicants with a discretionary succession receive **150 points**. This applies to:

- Housing Register applicants

Applicants working for Islington's Children's Services are entitled to **150 or 200 points**. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants

Applicants on the New Generation Scheme with 1 bed properties are awarded **20 points**. This applies to:

- Housing Register applicants

Applicants on the New Generation Scheme with 2 bed properties are awarded **90 points**. This applies to:

- Housing Register applicants

Statutory homeless applicants are awarded **10, 40, 70 or 100 points** (page 29 has further details). This applies to:

- Homeless applicants

Applicants that come under Prevention of homelessness are awarded either **30 or 70 points** (page 30 has further details). This applies to:

- Housing Register applicants

**100 or 200 points** are awarded for decants. This applies to:

- Transfer tenants

Tenants with major works taking place are awarded **120 points**. This applies to:

- Transfer tenants

Where a move is necessary on management grounds, **60, 120 or 150 points** may be awarded (page 27 has further details). This applies to:

- Transfer tenants

**30 points** are given to applicants fleeing domestic violence and abuse. This applies to:

- Transfer tenants
- Housing Association tenants
- Housing Register applicants
- Homeless applicants

**100 points** may be awarded to applicants in supported housing. This applies to:

- Housing Register applicants

For under occupying social housing tenants – **80 points** are given per bedroom under occupying. This applies to:

- Transfer tenants
- Housing Association tenants

Under occupying tenants in two bedroom properties get **150 points**. This applies to:

- Transfer tenants
- Housing Association tenants

Under occupation dependents will receive **100 points**. This applies to:

- Housing Register applicants

## Chapter 1: Housing Register

### Key

**T:**  
Transfer

**HA:**  
Housing Association

**HR:**  
Housing Register

**H:**  
Homeless

Criteria	Points	Who is eligible			
		T	HA	HR	H
Applicants who are resident in the borough or who are granted an exception under non residence criteria	100	●	●	●	●
Opposite sex overcrowding; where two people of the opposite sex have to share a bedroom and one is 10 years or older (unless they are over 16 and living as a couple.	10	●	●	●	● *
Where there is more than one occurrence additional points will be given per occurrence	5	●	●	●	● *
For each additional bedroom required.	20	●	●	●	● *
Severely overcrowded points Additional points for households lacking 2 or more bedrooms.	30	●	●	●	● *
Sharing or lacking access to facilities i.e. cooking facilities, hot or cold water or toilet.	10	●	●	●	● *
Medical needs	40, 80, 200	●	●	●	●
Welfare needs	40, 80, 150	●	●	●	●
Islington care leavers	90			●	
Discretionary succession	150			●	
Children's Services	150 or 200	●	●	●	●
New Generation scheme: 1 Beds 2 Beds	20 90			● ●	
Statutory homeless	10,40 or 100				●
Prevention of homelessness	30 or 70			●	
Decants	100 or 200	●			
Major works	120	●			
Management transfers	60, 120 or 150	●			
Domestic abuse points	30	●	●	●	●
Supported Housing move on	100			●	
Under occupying social housing tenants – points per bedroom under occupying.	80	●	●		
Under occupying tenants in two bedroom properties.	150	●	●		
Under occupation dependents	100			●	

\* Except those in reception centres Page 86

## Choice based lettings

Islington Council operates a choice based lettings scheme (CBL) called Home Connections. As far as possible all council, housing association, co-op managed and tenant management organisation (TMO) properties are allocated through this scheme. There are exceptions such as sheltered housing.

The council may refuse bids from applicants if the property does not meet their assessed housing need or to avoid any potential risk to the applicants or others.

### Who can bid?

The council will set thresholds for the points above which applicants will be able to bid and may set annual quotas for applicants in local priority categories. These will be established for each bedroom size and will be reviewed annually by the Service Director of Housing Needs and Strategy based on supply and demand levels. Any changes will be published in the Annual Lettings Plan.

### How to Bid

The Council's housing stock is let through a choice based letting scheme, Home Connections. Properties are available weekly and applicants will have to bid for properties, in order to be considered.

Applicants cannot bid for properties larger than their assessed need. However, applicants will be able to bid for a property with one less bedroom than their assessed need where this would improve their current housing situation.

The Council will shortlist applicants with the highest points who have bid on a property and invite them to a viewing. After a viewing the property will be offered to the applicant with the highest points. If the applicant with the highest points refuses the property it will be offered to the second highest bidder.

If an applicant has the same amount of points as another applicant, the Council will allocate the property according to the date of their application.

Where a property has been advertised with a restriction, only applicants who meet the criteria will be shortlisted for the property. For example, applicants under 50 would not be considered for an over 50's block.

Ground floor properties suitable for applicants with a ground floor medical recommendation (awarded by the council's medical advisor) will be allocated to applicants with this assessed need.

The Council will provide information about the number and types of homes, and current vacancy rates, to help customers to make an informed choice. The more flexible applicants are in their choice of areas and property types, the sooner they are likely to be successful in being offered a property that meets their need.

### Applicants not bidding

The council will review all applications where no bid has been placed on a regular basis. Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.

Applicants who

- persistently bid and do not attend viewings
- applicants who consistently accept and later refuse properties
- or applicants who fail to bid for more than twelve months

may be removed from the Housing Register. These applicants will be required to reapply if they consider they still have a housing need. Any decision to remove an applicant from the housing register is subject to review (**see chapter 10**)

### Allocations outside Choice Based Lettings

There may be circumstances where for urgent operational or financial reasons there is a need to make an offer of housing outside the Choice Based Lettings (Supported Choice) and, in exceptional circumstances, outside of the priority points and date order criteria set out in this policy (Direct offer) so not all properties that become available will be advertised and offered through the Choice Based Lettings (CBL) process and not all properties will be allocated by priority points and date order.

### Supported Choice

The council may operate supported choice lettings to any applicant or group of applicants which include:

- Accepted homeless applicants who have been awarded points at or above the threshold at which applicants are able to bid,
- Applicants who are vulnerable and need support in accessing accommodation.

Where supported choice lettings are made an applicant will be given access to the choice-based lettings system for a minimum of four weeks. If they are not successful within this time they will be made an offer of a suitable property based on their assessed need for accommodation.

Failure to accept the offer may result in points being removed from an application.

Where an applicant owed any statutory homelessness duty under Part 7 of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017, refuses a written offer of suitable accommodation made through this policy, the homelessness duty owed to them will be discharged and they will lose any priority status afforded to them because of that duty owed to them.

In these circumstances unless they have another reason to be awarded priority points under this policy, they will no longer be allowed to remain on the Housing Register. If they have another housing need reason to be awarded priority points under this policy then this will take place, but they will no longer be owed any priority point's award for being owed a statutory homelessness duty as that duty would have been brought to an end when they refused the suitable offer of accommodation.

A statutory homeless duty means:

- a) The prevention of homelessness duty under Section 195(2)
- b) The relief of homelessness duty under Section 189B (2)
- c) Where the relief duty has come to an end and an applicant is then owed a section 190 intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty),

- d) The section 193(2) Main Homelessness duty or the section 193C (4) 'reduced' section 193 duty Note where it has been decided to refer the case to another authority at either the 'Relief Stage' or at the 'Main Duty stage' of their homeless application, an applicant will not receive any priority points for being owed any homelessness duty as the Council will owe no duty (other than, depending on the circumstances) an interim accommodation duty. Being owed an interim accommodation duty pending the outcome of a local connection referral does not qualify an applicant to be owed points as defined by a-d above.

Where the Council has ended any statutory homeless duty and is exercising its power to provide accommodation pending a review decision (section 188(3) power) no statutory duty will be owed by the Council unless the outcome of any review is a positive for the applicant. Therefore where a review has been requested any point's priority for being owed any of the homelessness duties set out in a-d above will be removed.

### Direct Offer

In certain circumstances the council may make a direct offer of suitable accommodation outside of the CBL scheme in circumstances where in its discretion it considers it is necessary or appropriate to house a registered applicant otherwise than through the choice-based lettings process. This includes:

- Applicants who need to move urgently so that repair or redevelopment work can be completed.
- Applicants living in a property larger than they need and the property could be used to house another household in housing need. Where adult children are living in the property and are not moving to the smaller property, the council may also make them a direct offer of a property to meet their assessed needs at the same time.
- Applicants who have been assessed as needing Sheltered Housing.
- Where the council has agreed to provide accommodation under the National Witness Mobility Scheme, the Safe and Secure Programme or the North London Domestic Violence protocol or Pan London Domestic Violence protocol.
- Reciprocal requests from other social landlords.
- It is in the council's wider strategic interests to move an applicant or it helps the council manage the housing stock more effectively or efficiently.
- To facilitate a three way (or greater) mutual exchange. Mutual exchanges are not an allocation, but where the Council is satisfied that to do so would make best use of its housing stock and support the needs of the tenants involved, rather than a direct swap

(assignment) taking place, the Council may make available a property for a three-way exchange

- Urgent housing need situations where it would not be reasonable in the circumstances to wait for the Choice Based Lettings process to take place
- Offers to persons who the council has a duty to rehouse under section 39 of the Land Compensation Act 1973.
- Where a vacant adapted property or a property designed to disability standards becomes available the Council may need to offer that property to an applicant whose disability needs best matches that property regardless of the date they were registered
- Other examples include cases where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA) or presents a risk to themselves or others

An offer of accommodation could be in any area of Islington that the Council has assessed is suitable and safe for the applicant to live in.

All offers of accommodation outside of the Choice Based Lettings scheme or outside priority points and date order will be authorised by the Head of Housing Needs or in their absence a senior officer for the Housing Needs service and a detailed report will be produced monthly for the Director of Housing Needs and Strategy to scrutinise and check the balance of lettings via Choice Based Lettings versus other offers.

## Bidding and Offers

### Property type

Ground floor properties, wheelchair accessible homes, and properties that are suitable for adaptation, including those built to Lifetime Homes standard, are in very short supply.

The council will ensure that the limited supply of these property types that do become available for letting will be offered to those residents in most need of them.

Applicants will be selected for these properties on the basis of an assessed need for this type of home, and not on the basis of applicant's preferences. This applies equally to all housing list applicants.

### Sensitive lettings

The council reserves the right to participate in sensitive lettings where it is considered to be necessary for the effective management of the stock. A sensitive letting will take account of the needs of the applicant and other residents.

### Applicants in supported housing

Applicants in supported housing may be restricted from bidding until they have been assessed as being capable of independent living. They may also be considered for accommodation in the private sector.

### Lettings to older applicants

There are blocks in the borough which are designated for lettings to older applicants.

Offers in these blocks will be made in accordance with the allocation policy but only to older people.

### When exceptions will apply to allocation by priority points and waiting time

In some circumstances an offer may be made to an applicant outside the usual procedure. This is where there is an urgent need for an individual household to be housed, to enable sensitive lettings to take place or where there is an operational or financial need to house certain categories of applicants such as to comply with the Council's Annual Lettings Plan and any quotas contained within it. See the section on Choice for full details of when an offer may be made outside of the Choice Based Lettings process, or outside of the priority points and date order process.

### Annual Lettings Plan

The Council will produce and publish an Annual Lettings Plan; this will set annual targets for property types across priority points. The Head of Housing Needs will draw up the Annual Lettings Plan every January. The Annual Lettings Plan will be published on the Council's website. The Head of Housing Needs is responsible for monitoring the Annual Lettings Plan. If monitoring shows that outcomes are not as per the Annual Lettings Plan the Council reserves the right to implement a quota system and adjust the Annual Lettings Plan to ensure that it meets its strategic and or statutory obligations. This power is reserved to the Executive Member for Housing and Development in consultation with the Director of Housing Needs and Strategy to approve. The Housing Allocations Scheme is also monitored to make sure that allocations made reflect the housing need, and meet with the requirements of legislation. This scheme will be reviewed internally periodically to ensure that its aims and objectives are met.

### New homes local lettings policy

#### New homes on council estates

The council is committed to ensuring that its new homes are meeting the needs of the local community by prioritising existing secure council tenants currently living on the estate on which they are being built. Where we construct new homes on existing estates, the local lettings of these new homes will be in accordance with the lettings plan for the individual scheme for up to 100% of the allocations.

Where lettings plans are drawn up the following will apply to the local lettings allocations:

- Applicants must be secure council tenants living on the estate who meet the bidding threshold
- Applicants must fulfil the size and property requirements for the new homes, but under-occupiers will be able to bid for a property with an extra bedroom
- Applicants with the same number of points will be prioritised based on the length of time on the housing register
- Wheelchair adapted properties will be restricted to applicants who require such properties.
- Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.
- Properties built to 'lifetime homes' standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation

Remaining properties subject to local lettings will be allocated to assured/secure social housing tenants with an assessed housing need living in the local ward. After local lettings on the estate and ward, remaining properties will be let according to the council's general Housing Allocation Scheme.

The Service Director of Housing Needs and Strategy can exercise discretion to include more than one estate and ward in the local lettings allocation.

#### Other new social housing

Islington Council also wants to make sure local people benefit from other, new social housing. Where new homes are built for social rent the local lettings of these new homes will be in accordance with the Lettings Plan for the individual scheme for up to 100% of the allocations.

Where lettings plans are drawn up the following will apply to the local lettings allocations:

- Applicants must be assured/secure council tenants living in the ward who meet the bidding threshold
- Applicants must fulfil the size and property requirements for the new homes
- Applicants with the same number of points will be prioritised based on the length of time on the housing register
- Wheelchair adapted properties will be restricted to applicants who require such properties.
- Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.



- Properties built to 'lifetime homes' standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation

After local lettings in the ward, remaining properties will be let according to the council's general Housing Allocation Scheme.

The Service Director of Housing Needs and Strategy can exercise discretion to include more than one ward in the local lettings allocation.

### **Housing co-ops, tenant managed organisations (TMOs) and other landlords**

Some landlords, including co-ops and TMOs, due to their specialist nature, may require applicants with certain additional criteria for example, ability to take part in a co-op. These additional criteria will be included as part of the advertisement.

## **Succession**

### **Succession rights before and after 1 April 2013.**

In relation to tenancies that started before 1 April 2013, a person can succeed to a council tenancy on the death of a tenant if they are the tenant's spouse, civil partner or other close family member.

From 1 April 2013 new tenancies can only be succeeded to by a spouse or partner. Where other family members [as defined by Section 113 of the Housing Act 1985], have been resident in the property with the late successor tenant for the previous 5 years or the life of the tenancy (whichever is longer) and the property is suitable according to their housing needs, we will permit a succession to the tenancy.

Where there is under-occupation or the property is unsuitable due to an occupancy criteria e.g. an over 55 block, we will enable the family member to be offered the tenancy of an alternative, suitably sized property.

Family members applying for a succession will be barred from succeeding a tenancy if they own a residential property anywhere within the United Kingdom or internationally.

### **Discretionary succession**

In certain circumstances the council or Partners for Improvement in Islington may grant the tenancy of a property to people resident in the property who were members of the tenant's family if there had already been a succession. This is known as a discretionary succession.

Where a discretionary succession is agreed, consideration will be given to the suitability of the property being occupied. A tenancy will be granted for the occupied property if it is of the right size and does not have adaptations or features required by disabled people and there are no arrears on the applicant's account. Right size means the household will not under occupy the property according to the council's rehousing standards.

Applicants agreed for discretionary successions that are under-occupying or occupying an adapted property may be offered rehousing in another suitable property. These applicants will be given 150 discretionary succession points.

In certain circumstances the council or Partners for Improvement in Islington may grant the tenancy of a property to people resident in the property who were members of the tenant's family [as defined by Section 113 of the Housing Act 1985], if there had already been a succession. This is known as a discretionary succession.

Discretionary successions may be approved in cases where the applicant has resided with the late successor tenant for the previous 5 years or the life of the tenancy (whichever is longer) and if the council may owe a housing duty as defined within the section 189 of the Housing Act (1996).

Where a discretionary succession is agreed, consideration will be given to the suitability of the property being occupied. A tenancy will be granted for the occupied property if it is of the right size and does not have adaptations or features required by disabled people and there are no arrears on the applicant's account. Right size means the household will not under occupy the property according to the council's rehousing standards.

Applicants agreed for discretionary successions that are under-occupying or occupying an adapted property may be offered rehousing in another suitable property. These applicants will be given 150 points.

Family members applying for a succession will be barred from succeeding a tenancy if they own a residential property anywhere within the United Kingdom or internationally.



# Chapter 2

# Mutual

# Exchange

# Mutual Exchange

## Mutual exchanges

### What is it?

Secure tenants of a council have the right to exchange their home with another secure tenant, or with an assured tenant of a housing association. Exchanges can involve more than two households. Tenants do not need to be registered on the transfer list or have any points to participate in this scheme.

### Who can apply?

Tenants must get written permission from their landlord before they exchange and the other tenant must also get written permission from their landlord. Both tenants must sign a “deed of assignment” before they exchange properties.

### How does it work?

Most council and housing association tenants advertise their properties through Homeswapper ([www.homeswapper.co.uk](http://www.homeswapper.co.uk)). Once a tenant has found another tenant to exchange with they should complete the mutual exchange form, which can be downloaded from the council’s website: [www.islington.co.uk/housing](http://www.islington.co.uk/housing)

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## Homeswapper

### What is it?

Homeswapper is a national mutual exchange scheme. Islington Council tenants can register for free. Some housing association tenants may have to pay a small fee to register if their landlord is not part of the scheme.

### Who can apply?

Applicants must be a council or housing association tenant; they do not have to be on the council’s housing register. Applicants are allowed to swap into a home that is either one bedroom too large or one bedroom too small for their family’s need with the permission of your landlord.

### How does it work?

This is a web-based scheme only and tenants can register on the web-site at [www.homeswapper.co.uk](http://www.homeswapper.co.uk)

Applicants can also view the Homeswapper site at their area housing offices.

Homeswapper will carry out searches for possible swaps on a daily basis. When an applicant has found the person they want to exchange with, they must complete the mutual exchange form and return it to their landlord. They must contact the person who is living in the property they want to move into to make viewing arrangements.

### Smart Move

#### What is it?

Smart Move helps to match people living in properties with more bedrooms than they need (under-occupying tenants) with people living in overcrowded homes, to arrange a mutual exchange.

#### Who can apply?

This scheme is available to Islington Council and housing association tenants only. It is a free service.

#### How does it work?

The council will advertise the mutual exchange property details of tenants who wish to move to smaller homes on the Home Connections advert each week. The advert is available to view online at [www.islington.gov.uk/homeconnections](http://www.islington.gov.uk/homeconnections)

If tenants express their interest in a property which matches their requirements, the council will put all the parties in contact with each other.

#### Further information

For more information on any of the schemes above please contact:

##### Housing Options Team

E [rehousing@islington.gov.uk](mailto:rehousing@islington.gov.uk)

T 020 7527 4140

W [www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)



# Chapter 3 Shared Ownership

# Shared Ownership

### What is it?

This scheme is intended to help people who cannot afford to buy a home outright. Through shared ownership an applicant can buy a share starting at 25% in a flat from the council or a housing association and pay rent on the part they do not own. An applicant can increase their share if they want, and can eventually own the property outright.

### Who can apply?

You can apply if you have a gross household income of up to £90,000 per annum.

Priority for shared ownership schemes is generally given to existing council and housing association tenants and Islington residents on Islington's housing register. An applicant will only qualify for shared ownership if they can afford to buy part of a property.

### How does it work?

Islington Council operates its own scheme directly, and works with several housing associations to provide shared ownership properties for people in Islington. Most schemes are based on properties specifically built or renovated for shared ownership by housing associations.

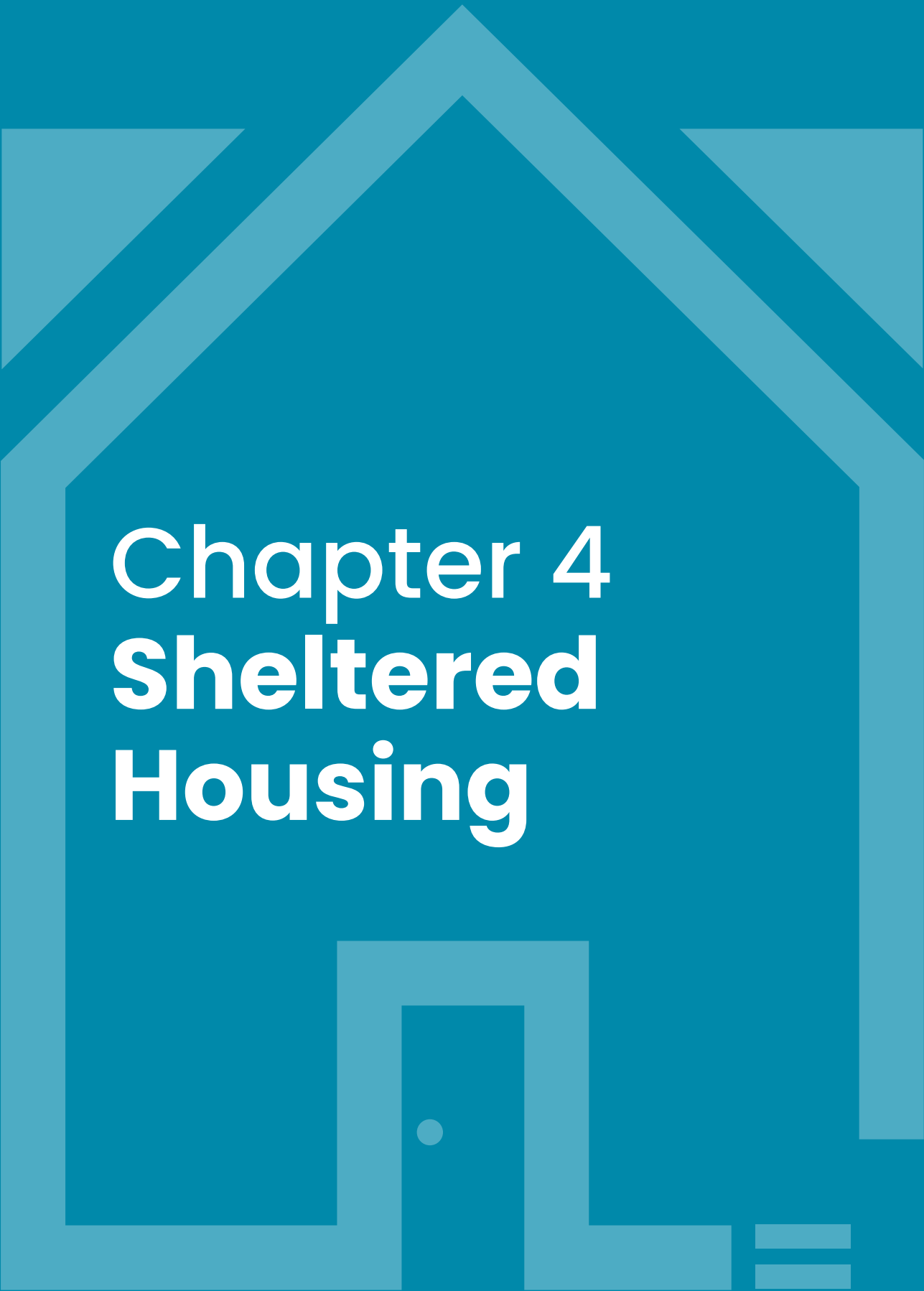
Information about all shared ownership properties available in London are advertised on the Share to Buy website which is in partnership with First Steps. The Share to Buy website also includes information about obtaining mortgages and contact details of solicitors who have experience in assisting clients with shared ownership purchases.

Registering your contact details with Share to Buy enables you to keep up to date when new properties become available. If you find a property you are interested in the share to buy portal will direct you to the housing associations website that owns the property and their sales team will be able to answer any questions you have, go through your application form and assess your eligibility.

### Further information

For more information please visit:

**W** [www.sharetobuy.com/london](http://www.sharetobuy.com/london)

A large, light blue outline of a house with a gabled roof, a central door, and a chimney on the right side, set against a darker blue background. The text is centered within the house's outline.

# Chapter 4 Sheltered Housing



# Sheltered Housing

### What is it?

Sheltered Housing is designed to provide a supportive environment to vulnerable or older people. The scheme is made up of individual self-contained properties most of which also have communal facilities. There is a 24 hour emergency on call system.

### Who can apply?

Applicants must be aged 55 years or over and have some support needs.

### How does it work?

Sheltered schemes are owned and managed by housing associations. Most schemes in Islington are managed by Clarion. Other sheltered housing providers include Peabody Housing Trust, Barnsbury Housing Association, Mercers, Islington and Shoreditch Housing Association (ISHA), ASRA and Anchor Housing Trust.

Applicants interested in sheltered housing must apply to the housing register and an assessment will take place to decide if sheltered housing is suitable for their housing needs (see chapter 1).

If suitable the applicant will be placed on the priority list and a sheltered housing category of A, B or C will be awarded. Sheltered categories won't have an effect on rehousing bidding points.

Examples of the award categories are:

#### A – High priority

- Overcrowded
- Housebound
- In hospital and cannot return home
- Threat of violence or abuse
- Under occupying

#### B – Medium priority

- Inappropriately housed based on assessed medical need
- Imminent threat of homelessness
- In Temporary Accommodation

#### C – Low priority

- No threat of homelessness
- Appropriately housed

### Offers of Sheltered Accommodation

All offers of sheltered accommodation will be made by direct offer. Direct offers will be made collaboratively in accordance with the Housing Allocations Scheme (see page 30 Direct Offers). The relevant housing association will make the final decision on any sheltered housing offers. Applicants will therefore be subject to the housing associations policies and criteria's regarding the suitability of any offers made.

#### Further information

Please contact:

**Housing Options Team**

E [rehousing@islington.gov.uk](mailto:rehousing@islington.gov.uk)

T 020 7527 4140

W [www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)

A large, light teal outline of a house with a gabled roof, a central door, and a chimney on the right side, set against a darker teal background.

# Chapter 5 Supported Housing

# Supported Housing

### What is it?

Supported Housing is accommodation that is provided to help develop and sustain a person's capacity to live independently. The accommodation consists of flats or shared houses where people with support needs can live independently in the community.

### Who can apply?

Supported accommodation is usually provided for groups of people who are vulnerable, such as people with:

- mental health needs
- substance misuse problems
- young people
- people with learning difficulties
- people with a history of offending.
- single homeless people with a range of support needs
- women escaping violence
- 16-25 year olds in care or in need of housing

### How does it work?

Applicants are supported by staff who may be based on site or provide visiting support to the residents. Applicants can live in supported housing for varying lengths of time, usually up to two years depending on the individual's needs and the type of service they require. They may then get support to move on to independent accommodation in the private rented or social housing sector.

### Further information

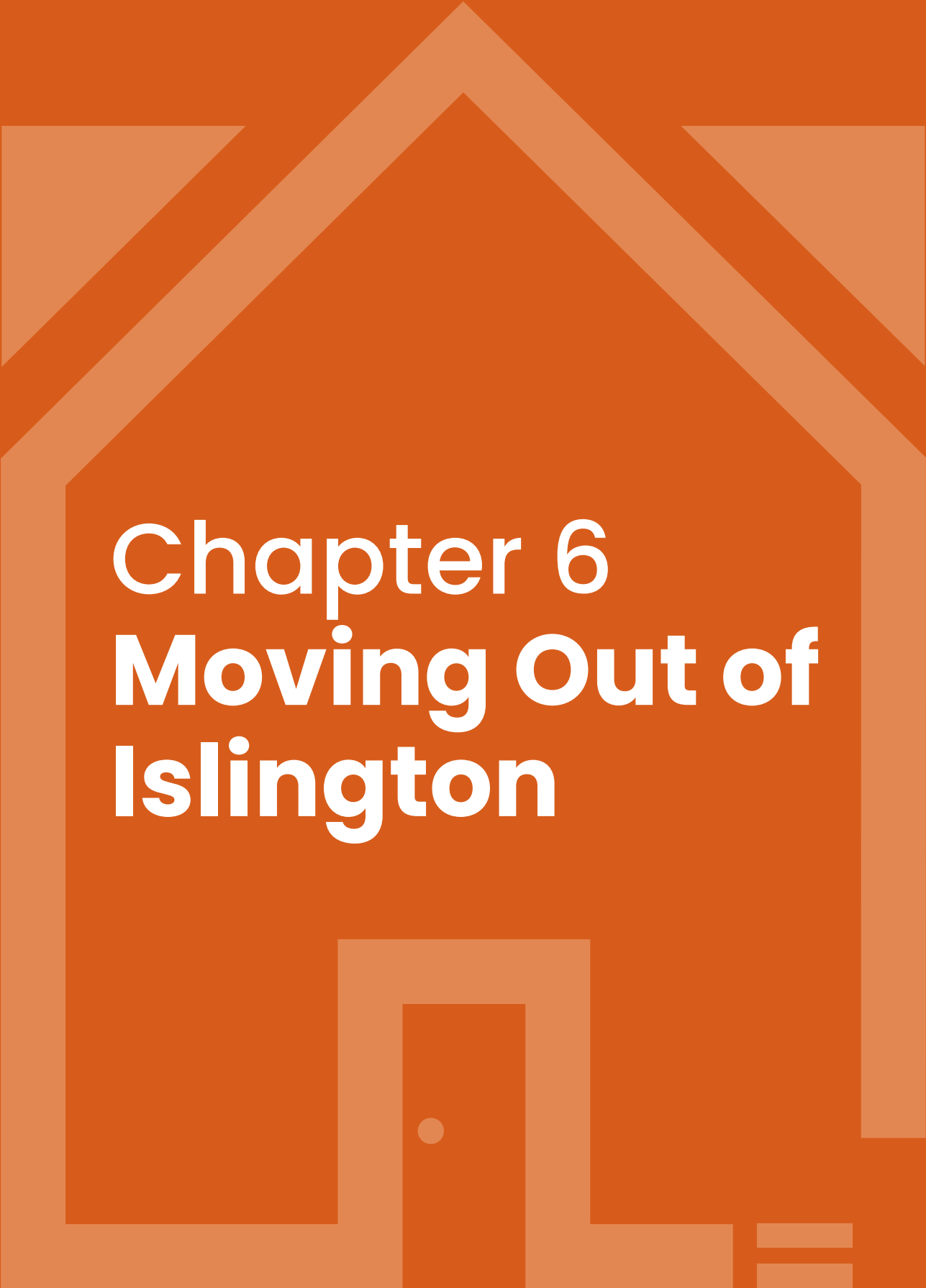
Please contact:

**Referrals Co-ordinator Team**

**E** [housing.advice@islington.gov.uk](mailto:housing.advice@islington.gov.uk)

**T** 020 7527 4140

**W** [www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)



# Chapter 6

# Moving Out of Islington

# Moving Out of Islington

## Seaside and Country Homes Scheme

### What is it?

This is a housing mobility scheme that offers council or housing association tenants the option of moving out of London.

### Who can apply?

Social housing tenants approaching the age of 60 years who are able to live independently.

### How does it work?

The scheme's landlords manage approximately 3,500 bungalows and flats along the coast from Cornwall in the south west, to Norfolk and Lincolnshire in the east and across the countryside from Dorset to Cambridgeshire. The scheme does not guarantee a move and priority is given to tenants who are giving up larger sized properties.

### Further information

Please contact:

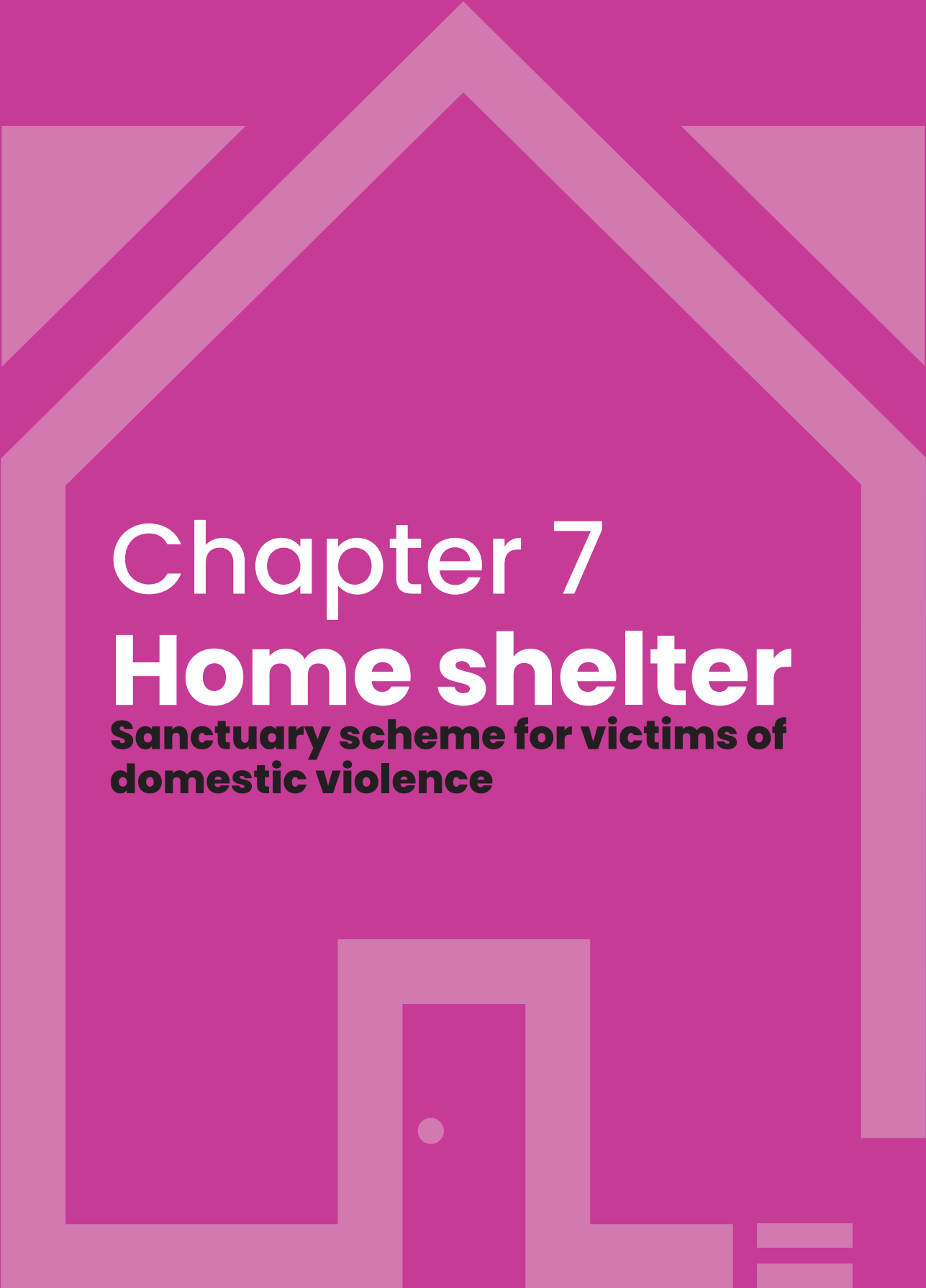
**Housing Options Team**

E [rehousing@islington.gov.uk](mailto:rehousing@islington.gov.uk)

T 020 7527 4140

W [www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)

W [www.housingmoves.org](http://www.housingmoves.org)



# Chapter 7

## Home shelter

**Sanctuary scheme for victims of domestic violence**

# Home shelter

## Sanctuary scheme for victims of domestic violence

### What is it?

If an applicant is experiencing or has experienced domestic violence and is still at risk, the scheme enables them to remain in their home by installing security in their property to prevent the perpetrator from gaining access.

### Who can apply?

Any person who is homeless or threatened with homelessness due to domestic violence will be eligible.

### How does it work?

An applicant's safety needs will be assessed and the council will then install additional security measures such as solid doors, extra locks and grills. The council can also refer an applicant to

Other organisations to help with legal advice.

### Further information

Islington Council tenants should contact their area housing office.  
Housing association tenants should contact their landlord.

Contact **Islington Women's Aid** to talk to someone about domestic violence.

T 020 8269 2121

W [www.womensaid.org.uk](http://www.womensaid.org.uk)

**In an emergency always dial 999.**

A large, light blue outline of a house with a gabled roof, a central door, and a chimney on the right side. The house is centered on the page.

# Chapter 8

# The Private Sector



# The Private Sector

## Renting in the private sector

### What is it?

Renting in the private sector means that rent is paid directly to a private landlord rather than the council or a housing association.

### Who can apply?

Anyone can rent from a private landlord. If they are on a low income they may be able to claim housing benefit to cover all or part of the rent.

### How does it work?

It is possible to find houses and flats to rent from landlords by viewing the local newspapers where they have sections relating to private rented accommodation.

Islington Council will provide you with advice and support even after you move in.

### Further information

Please contact:

**Housing Solutions Team**

E [housingsolutions@islington.gov.uk](mailto:housingsolutions@islington.gov.uk)

T 020 7527 6371

W [www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)

## Private sector opportunities for homeless people

### What is it?

The Private Sector Opportunities Scheme (PRSO) is an incentive to assist landlords to offer housing to homeless people. The scheme also offers advice and support for applicants looking for housing in the private sector. Eligible applicants may not have to pay an initial deposit to the landlord.

### Who can apply?

Applicants who are homeless or threatened with homelessness can apply.

### How does it work?

A housing officer will assess whether applicants qualify for this scheme and advise where places are available. Applicants subsequently housed through the PRSO scheme in discharge of the full housing duty will then receive **70 points**. Applicants who are housed into the Private Rented Sector to end the prevention or relief duty contained within the Homelessness Reduction Act 2017 will receive **30 points**.

### Further information

If you have already been accepted as homeless, contact your housing case worker.

## Private sector housing grants

### What is it?

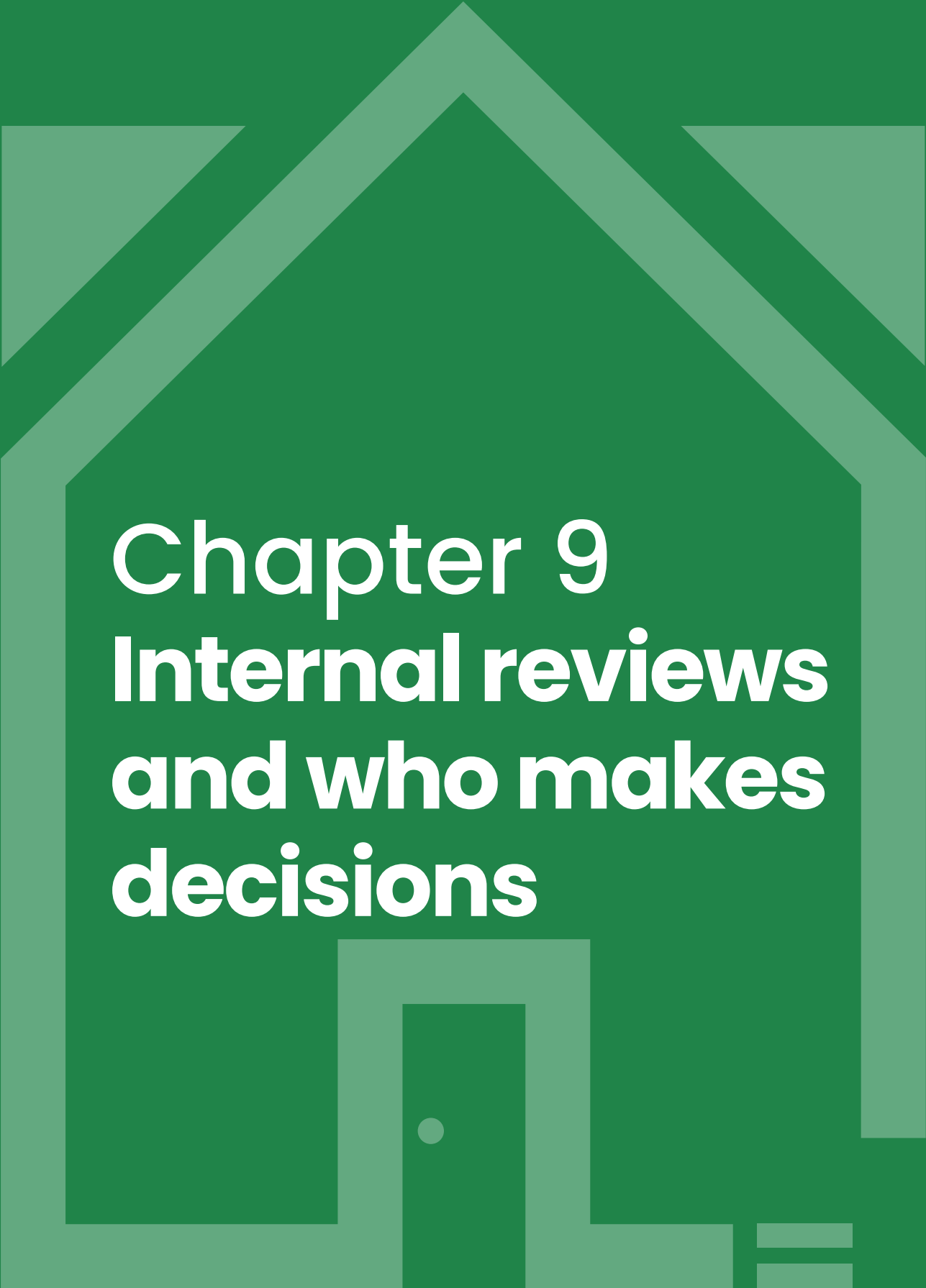
Grants are available from Islington Council to enable repairs, adaptation and grants for energy efficiency of owner occupied and private rented properties.

### How does it work?

You will need to contact **Residential Grant Support Service** on **020 7527 3104** to ensure your property qualifies for a grant.

### Further information

Please contact the **Housing Solutions Team**

A large, light green outline of a house with a gabled roof and a central door, set against a dark green background. The house outline is composed of multiple parallel lines, creating a layered effect. The door has a small circle in the center, and there are two horizontal lines to the right of the door.

# Chapter 9

## Internal reviews and who makes decisions

# Internal reviews and who makes decisions

Applicants who wish to challenge a decision of the council under its allocation scheme should try to resolve the problem informally in the first instance.

If the applicant is still not satisfied they may request a formal internal review within 21 days from the date the applicant is notified of the decision. An applicant can request a review of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them.

**All internal reviews will be processed within 56 days unless an extension has been agreed.**

## Reviews of decisions regarding eligibility or qualification

A review can be requested if one of the following is in dispute:

- the eligibility or qualification of the applicant to join the Housing Register
- removal or suspension of an applicant from the Housing Register.

## Review of exclusion from the register

In exceptional circumstances the council will consider lifting the disqualification applied to an applicant i.e. the applicant may be able to join the list after 12 months.

## Review of points awards and decisions whether to allocate housing

If an applicant is unhappy about the points awarded, or a reduction in their points, they can ask for the relevant manager to review their assessment. They can request a formal internal review within 21 days from the date the applicant is notified of the points awarded

or decision whether to allocate housing accommodation to them.

## Review against offers

Applicants who have been made an offer of housing outside of choice based lettings, and believe the offer of housing is not suitable, have the right to an internal review within 21 days from the date the offer is made. The internal review is considered by a panel of officers from the Housing and Adult Social Services department of the council.

Applicants should also be aware that if the council or housing association grants a tenancy as a result of false information given by the applicant or someone else on their behalf, the landlord will take court action to repossess the property.

## Update of applications

The council will contact applicants periodically to ensure the information held on applicants is up to date. If applicants do not respond to a review within 28 days of being requested to do so the council may remove their application from the register without further notice.

Applicants are expected to provide adequate information in order for their applications to be processed. Without this their application will not be processed.

False or misleading information may leave the applicant at risk of prosecution.

If an applicant's circumstances change after they have applied the council may suspend or remove them from the Housing Register.

### The type of decisions and assessments are made by the following:

#### A Housing Options Service Officer level

- Determining eligibility and qualification to join the register.
- Deciding that a housing register application should be cancelled.
- Assessing and prioritising housing applications.
- Assessing size of home needed by an applicant.
- Assessing medical issues.
- Shortlisting applicants for council and housing association homes via the choice based lettings system.

#### A Housing Options Service Manager level

- Assessing welfare issues.
- Reviews regarding eligibility, qualification, exclusion, points award and decision on whether to allocate.

#### Housing options service/Homes and Communities service/Partners for Islington Manager level

- Assessing management transfer/decant/major works.
- Reviews regarding eligibility, qualification, exclusion, points award and decision on whether to allocate.

#### A panel of officers from the Housing Options service. Officers directly involved in the original decision will not take part in the panel decision

- Reviews on suitability of offers.

A large, light gray outline of a house with a gabled roof, a central door, and a chimney on the right side. The house is centered on the page.

# Chapter 10

# Complaints

# Complaints

## Complaints regarding the service

The council operates a two-stage procedure:

1. **Stage 1**

The first stage is investigated and responded to locally by the service area in which the complaint originated.

2. **Chief Executive’s stage**

The second stage of the complaints procedure gives the customer the right to request that an investigation of their complaint is undertaken by the Corporate Customer Service Team on behalf of the Chief Executive.

## Complaints to the Housing Ombudsman

If you feel your complaint has not been dealt with properly or fairly you can make a request for your complaint to be considered by the Housing Ombudsman; the Housing Ombudsman considers housing matters such as rent, repairs and transfers.

You can complain to the Housing Ombudsman directly, eight weeks after you have received the final response from the Chief Executive and not before then.

If you do not want to wait that long you can ask a ‘designated person’ to refer your complaint to the Housing Ombudsman once the council’s complaint procedure has been fully completed. In Islington the designated person is the Lead Member for Housing. If you want the designated person to refer your complaint to the Housing Ombudsman you must write and give them your permission to refer your complaint. You will get more advice on how to do this when you receive the final response at the Chief Executive stage.

The designated person can try and resolve the complaint themselves or refer the complaint straight to the Ombudsman. If they refuse to do either a person may contact the Ombudsman directly.

### Further information

Please visit:

**W** [www.islington.gov.uk/contact-us/comments-and-complaints-info](http://www.islington.gov.uk/contact-us/comments-and-complaints-info)

Contact details for the Housing Ombudsman:

**Housing Ombudsman**

Exchange Tower

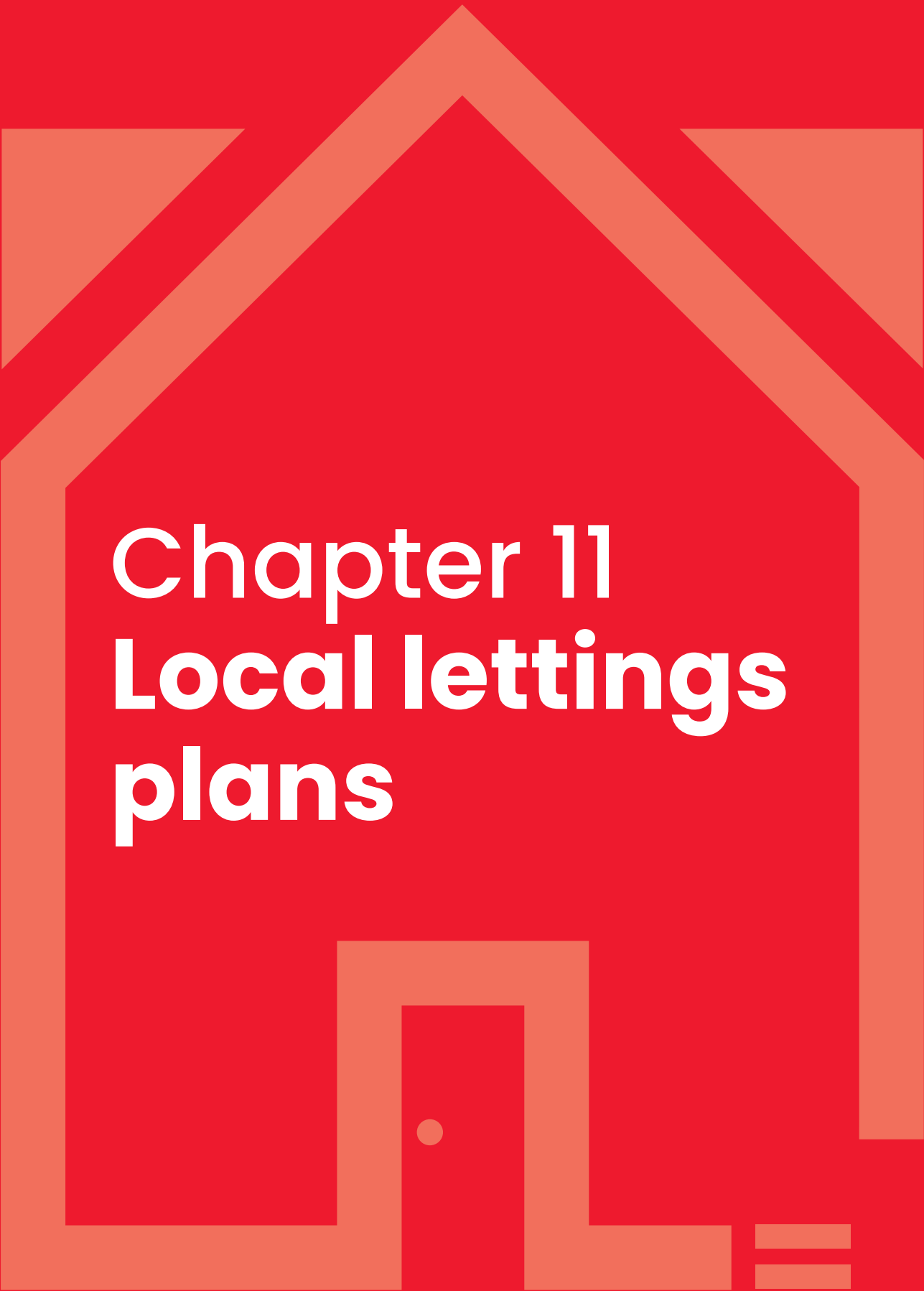
Harbour Exchange Square

London, E14 9GE

**E** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

**T** 0300 111 3000

**W** [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

A large, stylized outline of a house in a light red color, centered on a dark red background. The house has a gabled roof, a central door with a small circle representing a doorknob, and a chimney on the right side.

# Chapter 11

# Local lettings

# plans

# Local lettings plans

Local Letting Initiatives may be applied to meet the needs of an estate or local ward or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities.

They will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development). Each local letting initiative will be based on a detailed analysis of relevant information gathered from a variety of sources and may include for example evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, or the need to provide housing for a specific group).

The following are examples of local letting policies that may be deployed under the Allocation Policy. The list is for illustrative purposes and is not exhaustive.

- Age restrictions.
- Policies that are geared towards encouraging applicants who work or volunteer to live in an area where for example there may be an area, or street with high numbers of working age households not in work.
- Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/ residents in a street or block.
- Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street, or block.

- Disregarding household type or property matching rules to allow for example under-occupation to reduce child density or to account for future family growth
- Ensuring that there is a balance of working and non-working households allocated to a new build scheme.
- Up to 100% of all new build accommodation developed by Islington Council and partner Registered Social Landlords

Local Lettings Plans will always be applied to new developments (usually only applied to first lettings) regardless of whether the new development is subject to a section 106 agreement. Where a new development is subject to a section 106 Planning Agreement the criteria set will be followed.

## How will a local letting policy be assessed and agreed?

The Council and, if relevant, any Housing Association Partner will come to an agreement on the estates, blocks, or streets where a local letting policy may be appropriate and why.

There must be a clear evidence base for adopting a local letting policy. Agreement as to whether a local letting policy is appropriate will be based on the following test:

1. That there is a clear definition of the objective to be achieved by that local letting policy



2. That there is a clear evidence base to back up the need for a local letting policy.
3. That any potential equality impact has been considered.
4. How long the local lettings policy is intended to operate
5. When the policy should be reviewed

A written record of each policy adopted or rejected should be kept. It is the intention that local letting policies will be fluid with new policies being added as are required and existing policies being deleted once the objective for that policy has been met. All current local letting policies will be listed as a link to the online version of the Council's Allocation Policy so the public can see which policies are in operation at any point in time.

All Local Lettings Policies will be approved by the Executive Member for Homes and Communities as a recordable decision.

**If you would like this information in another language or reading format, such as Braille, large print, audio or Easy Read, please contact 020 7527 2000.**

For enquiries, please contact:



**Cora Nicholls,**  
Housing Options Team  
Homes and Neighbourhoods  
Islington Council  
222 Upper Street, N1 1XR



**020 7527 4175**



**rehousing@islington.gov.uk**



**[www.islington.gov.uk/housing](http://www.islington.gov.uk/housing)**

Published April 2023

# Allocation Scheme 2023

## Changes and additions to the scheme

Current wording	Proposed new wording/changes/additions
<p><b>Applicants who cannot join the housing register – Non-Residence</b></p> <p>People who are not resident in the borough on the date of application, and people who have lived in Islington for less than three out of the previous five years from the date they apply for housing, cannot join the housing register</p>	<p><b>Applicants who cannot join the housing register-Non-Residence</b></p> <p>People who are not resident in the borough on the date of application and have not continuously lived in Islington for at least five years from the date they apply for housing cannot join the housing register</p>
<p><b>No previous wording</b></p>	<p><b>Applicants who cannot join the housing register- non residence exception (p17)</b></p> <ul style="list-style-type: none"> <li>• Moving due to domestic abuse</li> </ul>
<p><b>Applicants who cannot join the housing register - Unacceptable behaviour</b> Being the perpetrator of violent, coercive, or controlling behaviour towards a resident of the borough</p>	<p><b>Applicants who cannot join the housing register - Unacceptable behaviour (page 17)</b> wording changed to expand scope Being the perpetrator of domestic abuse, violent, coercive, or controlling behaviour towards a resident of the borough.</p>
<p><b>Non- residence exception</b></p>	<p><b>Non- residence exception (page 18) -item7 wording changed regarding income.</b></p>

Current wording	Proposed new wording/changes/additions
Households who have sufficient financial resources to own or rent accommodation.	<p>a) Applicants who have total savings, investments and/or assets of £16,000 or more</p> <p>b) Applicants whose household's total gross income from all sources exceeds an annual income of £90,000</p>
<p><b>Residence Points</b></p> <p>Applicants must be resident in the borough for at least three out of the last five years from the date of application</p>	<p><b>Residence Points</b></p> <p>100 points are awarded to everyone who has been resident in the borough continuously for the last five years at the date of application</p>
<p><b>Splitting households</b></p> <p>With the household's agreement consideration may be made to offering two separate properties to a large household. The council will consider the types of properties required and ensure that there is an adult as part of each tenancy.</p>	<p><b>Splitting households (Page 21)</b></p> <p>Dividing Households</p> <p>A council tenant may request one or more separate properties for their authorised household members. The council will only agree to this request where:</p> <ul style="list-style-type: none"> <li>• the tenant and the authorised household members move to one- bedroom properties;</li> <li>• the number of one-bedroom properties required does not exceed the number of bedrooms in the original larger home;</li> <li>• the tenant and household member are rehoused simultaneously</li> </ul> <p>Shared residency of children</p> <p>Where children are subject to a shared residency arrangement the children are only considered to need one home of adequate size. Where either parent has a home of adequate size the remaining parent will be assessed as having overnight access only and no additional bedrooms will be agreed for the children.</p> <p>Households occupying more than one tenancy</p> <p>Where a family unit is not currently residing together the assessment will be based on the part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together. The residency qualification will be based on that part of the household with the longest residency in the borough</p>

Current wording	Proposed new wording/changes/additions
<p><b>Medical points</b></p> <p>Previous medical points</p> <p><b>Cat A 150</b></p> <ul style="list-style-type: none"> <li>• life limiting or progressive condition</li> <li>• serving members of the regular forces who are suffering from a serious injury, illness or disability</li> <li>• where two household members have Cat B</li> </ul> <p><b>Cat B 80</b></p> <ul style="list-style-type: none"> <li>• Where the applicants current housing conditions is having a major effect on their health condition</li> <li>• Cat C 40</li> </ul>	<p><b>Medical points- (page 22)</b></p> <p><b>Medical points</b></p> <p><b>Cat A 200 (change to points award)</b></p> <ul style="list-style-type: none"> <li>• life-limiting, life threatening or progressive condition</li> <li>• serving members of the armed force with a disability</li> <li>• Hospital discharge</li> </ul> <p><b>Cat B 80</b></p> <ul style="list-style-type: none"> <li>• Applicant at risk and housebound</li> <li>• Applicant health is severely affected by their current accommodation</li> </ul> <p><b>Cat C 40</b></p> <p>No change</p>
<p><b>Welfare points</b></p> <p><b>Welfare A</b></p> <p>Where the accommodation is required to meet the assessed needs of relevant children and other care leavers under the Children Leaving Care Act 2000.</p>	<p><b>Welfare Points (page 25)</b></p> <p><b>No change to point's award. Some clarification on examples</b></p> <p><b>Welfare A</b></p> <ul style="list-style-type: none"> <li>• Where a property is declared unfit for habitation or has a category 1 hazard due to damp and mould, as confirmed by the Public Protection team, or Islington Diagnostic Surveyors and which has a severe impact on the household</li> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in severe</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>Welfare B</b></p> <p>Where an applicant or a member of their household has to move in order to be near a person to whom they give or receive care and support</p>	<p>harm or fatality due to their accommodation as assessed by Children’s Services.</p> <ul style="list-style-type: none"> <li>• Where there is a risk of a child within the applicant’s household coming into Local Authority care or residential care due to their housing situation</li> <li>• Where it is necessary to move because of the threat of violence, abuse, or harassment, including domestic and sexual violence except for council tenants who have been awarded 150 management transfer points</li> </ul> <p><b>Welfare B</b></p> <ul style="list-style-type: none"> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in urgent risk of harm due to their accommodation as assessed by Children’s Services.</li> <li>• Where an applicant is experiencing a threat of violence, abuse or harassment that is impacting their living conditions</li> <li>• Where accommodation is required to meet the needs of a child as assessed in a Child in Need (CIN) plan</li> <li>• The applicant is living in such insanitary conditions that their welfare is prejudiced, and there are no remedies available to improve the conditions including where there is damp and mould</li> </ul> <p><b>Welfare C</b></p> <ul style="list-style-type: none"> <li>• The applicant is living in such conditions that their welfare is prejudiced for example, where there is mould and condensation and limited remedies are available, to resolve the issue.</li> </ul>
<p><b>Management transfers</b></p> <p>Points may be agreed by the council and Partners for Improvement in Islington where it is necessary to move a tenant on management grounds. In most cases, 60 management points will be awarded.</p> <p>In exceptional circumstances, 120 points may be awarded. These points will be reviewed every six months.</p>	<p><b>Management Transfers (page 27)</b></p> <p>These points are only awarded to council tenants where a move is necessary on management grounds. Points may be awarded as follows:</p> <p><b>150 points</b> may be awarded:</p> <ul style="list-style-type: none"> <li>• Where there is evidence to indicate that the tenant is currently at risk of serious harm from a third party perpetrator(s). For example, risk of possible homicide, serious injury, assault or abuse including domestic or sexual violence</li> <li>• where it can be evidenced that the risks can only be managed effectively by moving the tenant elsewhere</li> </ul>

Current wording	Proposed new wording/changes/additions
	<ul style="list-style-type: none"> <li>• where there is a corresponding safety plan in place setting out how the new address will be kept confidential, minimising the risks of the perpetrator (s) finding the victim/survivor</li> </ul> <p>These points will be reviewed every six months.</p> <p><b>120 points</b> may be awarded:</p> <ul style="list-style-type: none"> <li>• Where there is no current risk from a third-party perpetrator, but where there are other risks serious enough to jeopardise the sustainment of the tenancy. Examples include (this is not an exhaustive list and each case should be considered on its own merit / evidence): <ul style="list-style-type: none"> <li>• A tenant has a history of being subjected to abuse, neglect or other serious harm at the tenancy. Whilst this is now historic (i.e. there is no current risk from a third party perpetrator) the tenant is experiencing serious and ongoing post-traumatic stress to the extent that the tenancy is in jeopardy</li> <li>• A tenant has severe and enduring mental health issues and has developed paranoid / delusional thoughts about the property or neighbours, to the extent that living there is having a serious impact on their ability to manage the tenancy or stay well.</li> <li>• Long running neighbour disputes where both parties are equally hostile to each other, where there is a clearly evidenced high level of distress but where the issues are not serious enough on either side to warrant strong enforcement action being taken <b>and</b> where officers can evidence that a move will resolve the issues.</li> <li>• to applicants who release an adapted property where such an applicant no longer requires their current home and will therefore be releasing an adapted property by moving and are in unsatisfactory housing within 166A(3)(c)</li> </ul> </li> </ul> <p><b>60 points</b> may be awarded for example:</p> <ul style="list-style-type: none"> <li>• Where there other, less serious risks or concerns that jeopardise the sustainability of the tenancy and where officers can evidence that a move will resolve the issues (all cases will be considered on their individual merits)</li> <li>•</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>Points awarded from previous Allocation Scheme (Retention Points)</b></p> <p>Applicants retain these points under previous Allocation schemes (2010 and 2013)</p>	<p><b>Points awarded from previous Allocation Scheme (Retention Points)</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• All applications to be re-assessed and therefore these points will no longer be applicable</li> </ul>
<p><b>Relationship breakdown</b></p> <ul style="list-style-type: none"> <li>• Where a relationship has occurred between couples and one or both partners are an Islington council tenant.</li> </ul>	<p><b>Relationship breakdown</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <p>There is a growing increase in high needs single vulnerable applicants who require housing. This should be removed due to the severe shortage of social housing</p>
<p><b>New generation scheme:</b></p> <p>Applicants must be living continuously as an agreed member of the household of an Islington resident for at least three out of the last five years</p> <ul style="list-style-type: none"> <li>• applicants must be living as an agreed member of the household of an Islington resident</li> <li>• applicants must have lived continuously as an agreed member of the household of an Islington resident for the three years prior to the date of application</li> <li>• proof of residence will be required</li> </ul>	<p><b>New generation scheme (page 28)</b></p> <ul style="list-style-type: none"> <li>• applicants must have lived continuously as an agreed member of the household of an Islington resident for the five years prior to the date of application</li> <li>• applicants must not have been previously housed by the council</li> <li>• proof of residence will be required</li> </ul>



Current wording	Proposed new wording/changes/additions
<ul style="list-style-type: none"> <li><b>No previous wording</b></li> </ul>	<p><b>Domestic Abuse (page 28)</b></p> <p><b>New points allocation</b></p> <p>Applicants fleeing domestic violence and abuse that have been assessed by MARAC (Multi-Agency Risk Assessment Conference). These applicants will be awarded <b>30 additional priority points</b></p> <ul style="list-style-type: none"> <li></li> </ul>
<p><b>No previous wording</b></p>	<p><b>Prevention of homelessness (page 30)</b></p> <p><b>New points allocation</b></p> <p>Applicants who were owed under Part VII of the Housing Act 1996 a prevention duty (section 195(2)) or relief duty (section 189B (2)) who have accepted a private sector tenancy solution will be awarded <b>30 points</b>.</p> <p>Applicants who would normally be offered a section 193 (2) main housing duty and who have accepted a private sector tenancy solution will be awarded <b>70 points</b>.</p>
<p><b>Applicants not bidding</b></p> <p>The council will review all applications where no bid has been placed on a regular basis. Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p>Applicants who persistently bid and do not attend viewings and applicants who consistently accept and later refuse properties may be suspended from the list for 6 months.</p>	<p><b>Applicants not bidding (page 36)</b></p> <p>The council will review all applications where no bid has been placed on a regular basis. Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p><b>Applicants who:</b></p> <ul style="list-style-type: none"> <li>persistently bid and do not attend viewings</li> <li>applicants who consistently accept and later refuse properties</li> </ul> <p>or applicants who fail to bid for more than twelve months may be removed from the Housing Register.</p> <p>These applicants will be required to reapply if they consider they still have a housing need. Any decision to remove an applicant from the housing register is subject to review</p>
<p><b>Supported choice</b></p>	<p><b>Supported Choice (page 36)</b></p>

Current wording	Proposed new wording/changes/additions
<p>Applicants agreed two offers of housing</p>	<ul style="list-style-type: none"> <li>Where supported choice lettings are made an applicant will be given access to the choice based lettings system for a minimum of four weeks. If they are not successful within this time they will be made an offer of a suitable property based on their assessed need for accommodation.</li> </ul>
<p><b>No previous wording</b></p>	<p><b>Annual Lettings Plan (page 39)</b></p> <p>The council will produce and publish an Annual Lettings Plan; this will set annual targets for property types across priority points. The Head of Housing Needs will draw up the Annual Lettings Plan every January. The Annual Lettings Plan will be published on the council's website. The Head of Housing Needs is responsible for monitoring the Annual Lettings Plan. If monitoring shows that outcomes are not as per the Annual Lettings Plan the council reserves the right to implement a quota system and adjust the / Annual Lettings Plan to ensure that it meets its strategic and or statutory obligations. This power is reserved to the Executive Member for Housing and Development in consultation with the Director of Housing Needs and Strategy to approve.</p> <p>The Housing Allocations Scheme is also monitored to make sure that allocations made reflect the housing need and meet with the requirements of legislation. This scheme will be reviewed internally periodically to ensure that its aims and objectives are met.</p>
<p><b>New homes Local Lettings</b></p> <p><b>Council Estate:</b></p> <p><b>Priority is given to:</b></p> <ul style="list-style-type: none"> <li>Secure council tenants</li> <li>Household members of a secure council tenants</li> <li>Secure council tenants requesting a like for like transfer</li> </ul>	<p><b>New homes Local Lettings (page 40)</b></p> <p><b>New homes on council estates</b></p> <p>The council is committed to ensuring that its new homes are meeting the needs of the local community by prioritising existing secure council tenants currently living on the estate on which they are being built. Where we construct new homes on existing estates, the local lettings of these new homes will be in accordance with</p>

Current wording	Proposed new wording/changes/additions
<ul style="list-style-type: none"> <li>• Remaining properties will be let to residents of the borough</li> </ul> <p><b>Ward Priority</b></p> <ul style="list-style-type: none"> <li>• Secure social housing tenants</li> <li>• Household members of secure social housing tenants</li> <li>• Remaining properties will be let to residents of the borough</li> </ul>	<p>the lettings plan for the individual scheme for up to 100% of the allocations.</p> <p>Where lettings plans are drawn up the following will apply to the local lettings allocations:</p> <ul style="list-style-type: none"> <li>• Applicants must be secure council tenants living on the estate who meet the bidding threshold</li> <li>• Applicants must fulfil the size and property requirements for the new homes, but under-occupiers will be able to bid for a property with an extra bedroom</li> <li>• Applicants with the same number of points will be prioritised based on the length of time on the housing register</li> <li>• Wheelchair adapted properties will be restricted to applicants who require such properties.</li> <li>• Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.</li> <li>• Properties built to 'lifetime homes' standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation</li> </ul> <p>Remaining properties subject to local lettings will be allocated to assured/secure social housing tenants with an assessed housing need living in the local ward. After local lettings on the estate and ward, remaining properties will be let according to the council's general Housing Allocation Scheme.</p> <p>The Service Director of Housing Needs and Strategy can exercise discretion to include more than one estate and ward in the local lettings allocation.</p> <p><b>Other new social housing</b></p> <p>Islington Council also wants to make sure local people benefit from other, new social housing. Where new homes are built for social rent the local lettings of these new homes will be in accordance with the Lettings Plan for the individual scheme for up to 100% of the allocations.</p> <p>Where lettings plans are drawn up the following will apply to the local lettings allocations:</p>

Current wording	Proposed new wording/changes/additions
	<ul style="list-style-type: none"> <li>• Applicants must be assured/secure council tenants living in the ward who meet the bidding threshold</li> <li>• Applicants must fulfil the size and property requirements for the new homes</li> <li>• Applicants with the same number of points will be prioritised based on the length of time on the housing register</li> <li>• Wheelchair adapted properties will be restricted to applicants who require such properties.</li> <li>• Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.</li> <li>• Properties built to 'lifetime homes' standard which is a property that can be easily adapted for wheelchair use will be allocated to applicants assessed as needing this type of accommodation</li> </ul> <p>After local lettings in the ward, remaining properties will be let according to the council's general Housing Allocation Scheme.</p> <p>The Service Director of Housing Needs and Strategy can exercise discretion to include more than one ward in the local lettings allocation.</p>
<p><b>Intra Estate Transfer</b></p> <p>20% of available voids on estates are prioritise to tenants who live on the estate</p>	<p><b>Intra Estate Transfer</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• Due to the severe shortage of housing and the increased demand in high needs cases.</li> </ul>
<p><b>Keyworker housing</b></p> <p>Islington keyworkers (Social Workers, Teachers, Metropolitan police nurses working in Islington are awarded housing points to bid for a bedsitter or 1 bedroom accommodation on a non secure let</p>	<p><b>Keyworker housing</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• There is a growing increase in high-needs, single, vulnerable applicants who require housing. This should be removed due to the severe shortage of social housing accommodation.</li> </ul>

Current wording	Proposed new wording/changes/additions
<p><b>No previous wording</b></p>	<p><b>Supported housing move on new points allocation (page 29)</b></p> <p><b>Supported Housing Move On</b></p> <p>100 points may be awarded to applicants in supported housing where it is in the council's wider strategic interest for these applicants to move on from supported housing</p> <p>Examples where this may occur include:</p> <ul style="list-style-type: none"> <li>• The applicant is in supported accommodation that they no longer need and that the council urgently requires that accommodation for other applicants</li> <li>• The supported accommodation scheme is closing down or changing use</li> <li>• The applicant has multiple complex needs and has a demonstrable need for settled accommodation in borough which they cannot reasonably be expected to find for themselves in the near future</li> </ul>
<p><b>Armed forces personnel</b></p> <p>To serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service</p>	<p><b>Armed forces personnel (page 22)</b></p> <p>To serving members <b>or former members or reserve members</b> of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service</p>
	<ul style="list-style-type: none"> <li>•</li> </ul>

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**Resident Impact Assessment**

**The Housing Allocation Scheme 2022**

**Service Area: Homes and Neighbourhoods**

**1. What are the intended outcomes of this policy, function etc?**

The overall aim of the Scheme is to ensure that social housing is allocated fairly and objectively to those in the greatest housing need.

**2. Resident Profile**

Who is going to be impacted by this change i.e. residents/service users/tenants?

		<b>Borough profile</b>	<b>Housing Register</b>
		<b>Total: 206,285</b>	<b>Total: 14,003</b>
<b>Gender</b>	<b>Female</b>	<b>51%</b>	<b>58%</b>
	<b>Male</b>	<b>49%</b>	<b>42%</b>
	<b>Other</b>		<b>0.1%</b>
<b>Age</b>	<b>Under 16</b>	<b>16%</b>	<b>0%</b>
	<b>16-24</b>	<b>14%</b>	<b>13%</b>
	<b>25-44</b>	<b>42%</b>	<b>52%</b>
	<b>45-64</b>	<b>19%</b>	<b>26%</b>
	<b>65+</b>	<b>9%</b>	<b>8%</b>
<b>Disability</b>	<b>Disabled</b>	<b>16%</b>	<b>24%</b>
	<b>Non-disabled</b>	<b>84%</b>	<b>76%</b>
<b>Sexual orientatio</b>	<b>LGBT</b>	<b>No data</b>	<b>6%</b>
	<b>Heterosexual/straight</b>	<b>No data</b>	<b>94%</b>
<b>Race</b>	<b>BME</b>	<b>52%</b>	<b>52%</b>
	<b>White</b>	<b>48%</b>	<b>48%</b>

<b>Religion or belief</b>	<b>Christian</b>	<b>40%</b>	<b>46%</b>
	<b>Muslim</b>	<b>10%</b>	<b>25%</b>
	<b>Other</b>	<b>4.5%</b>	<b>5.5%</b>
	<b>No religion</b>	<b>30%</b>	<b>24%</b>
	<b>Religion not stated</b>	<b>17%</b>	

### 3. Equality impacts

Many people are unable to secure appropriate accommodation without support. This is a major issue in Central London, where property prices and poverty levels are high. Ensuring people can access decent, suitable housing is a key priority for Islington Council. The Council also has a legal obligation to ensure certain groups are housed.

Social housing is a primary tool for tackling these issues. It provides accommodation to roughly 44% of Islington residents at below market rates. Demand for social housing in Islington far exceeds supply with more than 14,000 households on the Housing Register and approximately only 1,000 properties to let each year equating to about 7% of households on the Housing Register.

In cases where the Council has a legal obligation to house someone but is unable to do so immediately, it will use temporary accommodation. Temporary accommodation is costly for the council, and represents greater instability for the housed family or individual.

The Council allocates social housing in accordance with its Housing Allocation Scheme. The scheme is developed in accordance with legislation and Government guidance.

**The Council's Housing Allocation Scheme lists the following guiding principles:**

- 1) A common housing register which will enable residents in housing need to access social housing across Islington;
- 2) To provide a high quality service to residents;
- 3) Meet the legal obligations of the Council, namely to give appropriate priority to residents who fall within the Housing Act "reasonable preference" categories;
- 4) Help prevent homelessness and offer realistic choice to those with a housing need
- 5) Improve local mobility across the London Borough of Islington;
- 6) To ensure that housing is allocated to those most in need or at risk and to ensure that, as far as possible, resources are targeted at local people;
- 7) To contribute to creating balanced and sustainable communities, promote the council's equality principles and be mindful of the communities we create;
- 8) To ensure that every resident is treated fairly and consistently irrespective of race and ethnicity, disability, gender/gender reassignment, sexual orientation, religion and belief and age;
- 9) A Scheme that is simple to understand, transparent and is seen as fair and accountable by applicants and Islington residents generally;
- 10) It must comply with statutory rules set out under legislation and accompanying regulations and take into account Codes of Guidance issued by central government from time to time;
- 11) The housing allocation scheme contributes to ending homelessness and eliminating rough sleeping;



12) The scheme must complement the council's other responsibilities, for example meeting social care needs and minimising financial risk to the council.

Islington Council has a legal obligation to pay due regard to the Public Sector Equality Duty (PSED) in the manner in which it carries out its functions. The three elements of the PSED are:

1. Eliminate unlawful discrimination harassment, victimisation and any other conduct prohibited by the Act;
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
3. Foster good relations between people who share a protected characteristic and people who do not share it.

The protected characteristics which need to be considered are age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty to have due regard to the need to eliminate discrimination also covers marriage and civil partnerships.

An Equality Impact Assessment (EQIA) is carried out annually to ensure the Allocation Scheme is not inadvertently discriminating against any of the protected characteristics when compared to the profile of the Housing Register and the profile of the borough's population. The findings of the EQIA carried out at the end of 2020/21 found:

- In general, the profile of Islington's housing applicants and those allocated a new property is slightly younger, comprises more females, and includes more people of colour than the borough's population.
- While these groups are over-represented, relative to the borough's population, they are likely to be a consequence of dependent children contributing to a priority need decision, ethnic inequalities in the labour market and other factors that contribute to homelessness.
- Overall, there is no obvious indication of inequitable processing in the Housing allocations process.

The full report is attached to this report as Appendix 1.

The table below lists the proposed changes to the current Allocation Scheme and the anticipated equalities impact if any.

### Proposed changes to the Housing Allocation Scheme

Current wording	New wording	Expected equalities impact
<p><b>Applicants who cannot join the housing register – Non-Residence</b></p> <p>People who are not resident in the borough on the date of application, and people who have lived in Islington for less than three out of the previous five years from the date they apply for housing, cannot join the housing register</p>	<p><b>Applicants who cannot join the housing register-Non-Residence</b></p> <p>People who are not resident in the borough on the date of application and have not continuously lived in Islington for at least five years from the date they apply for housing cannot join the housing register</p>	<p><b>Neutral:</b></p> <p>This change could adversely impact on people who are more mobile. The disqualification is however mitigated by a considerable number of exceptions. Applications are considered on their individual circumstances and an applicant can request a review on disqualification from the housing register. We will carefully</p>

		monitor the effect of this change.
	<p><b>Applicants who cannot join the housing register- non residence exception (p17)</b></p> <ul style="list-style-type: none"> <li>• Moving due to domestic abuse</li> </ul>	<p><b>Positive</b></p> <p>Women and single female parents are over-represented in this group.</p>
<p><b>Applicants who cannot join the housing register - Unacceptable behaviour</b> Being the perpetrator of violent, coercive, or controlling behaviour towards a resident of the borough</p>	<p><b>Applicants who cannot join the housing register - Unacceptable behaviour</b> (page 17) wording changed to expand scope Being the perpetrator of domestic abuse, violent, coercive, or controlling behaviour towards a resident of the borough.</p>	<p><b>Positive</b></p>
<p><b>Applicants who cannot join the housing register – Households with sufficient income or capital to meet their own housing need</b></p>	<p><b>Applicants who cannot join the housing register – Households who have sufficient financial resources to own or rent accommodation (page 18) - item7 wording changed regarding income.</b></p> <p>a) Applicants who have total savings, investments and/or assets of £ 16,000 or more b) Applicants whose households total gross income from all sources exceeds an annual income of £90,000.</p>	<p><b>Neutral</b></p> <p>This proposed change of wording seeks to clarify and define what constitutes sufficient financial resources so that the scheme is more transparent for all housing applicants.</p>
<p><b>Residence Points</b> Applicants must be resident in the borough for at least three out of the last five years from the date of application</p>	<p><b>Residence Points</b> 100 points are awarded to everyone who has been resident in the borough continuously for the last five years at the date of application</p>	<p><b>Neutral</b></p> <p>Maintain points award for people who meet the residence criteria</p>
<p><b>Waiting time points</b> Points are calculated at 5% per year of housing needs</p>	<p><b>Waiting time points-</b> This section has been removed.</p>	<p><b>Positive</b></p> <p>The purpose of this proposed change to the existing Scheme</p>

<p>points (except residence points)</p>		<p>is to prevent applicants without a significant housing need who have accrued a high level of waiting time points from leapfrogging applicants who are in severe housing need. Therefore, applicants with the same number of points will be prioritised for a letting based on time spent on the housing register.</p>
	<p><b>Dividing households (Page 21) additional wording</b></p> <p>A council tenant may request one or more separate properties for their authorised household members. The council will only agree to this request where:</p> <ul style="list-style-type: none"> <li>• the tenant and the authorised household members move to one bedroom properties;</li> <li>• the number of one bedroom properties required does not exceed the number of bedrooms in the original larger home;</li> <li>• the tenant and household member to be re-housed simultaneously</li> </ul> <p>Shared residency of children Where children are subject to a shared residency arrangement the children are only considered to need one home of adequate size. Where either parent has a home of adequate size the remaining parent will be assessed as having overnight access only and no additional bedrooms will be agreed for the children.</p> <p>Households occupying more than one tenancy Where a family unit is not currently residing together the assessment will be based on the</p>	<p><b>Neutral</b></p> <p>This proposed change is to clarify how this sort of request will be dealt with so is added to provide clarity and transparency.</p> <p>It is not expected that this change will have any negative impact to any protected group</p>

	part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together. The residency qualification will be based on that part of the household with the longest residency in the borough.	
<b>Medical points</b> Category A 150	<b>Medical points- (page 22)</b> Cat A 200 points (change to points award)	<b>Positive</b> Applicants who receive medical category A will have a disability or impairment that is severely impacted by their current housing and they would usually require a specific property type. It is expected that the additional points award will assist those with an acute and significant medical need to secure suitable housing more quickly.
<b>Welfare points</b> <b>Welfare A</b> Where the accommodation is required to meet the assessed needs of relevant children and other care leavers under the Children Leaving Care Act 2000.  <b>Welfare B</b> Where an applicant or a member of their household has to move in order to be near a person to whom they give or receive care and support	<b>Welfare points (page25-26)</b> <b>Welfare A</b> <ul style="list-style-type: none"> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in severe harm or fatality due to their accommodation as assessed by Children’s Services.</li> <li>• Where there is a risk of a child within the applicant’s household coming into Local Authority care or residential care due to their housing situation</li> <li>• Where a property is declared unfit for habitation or has a category 1 hazard due to damp and mould, as confirmed by the Public Protection team, or Islington Diagnostic Surveyors and which has a severe impact on the household</li> </ul> <b>Welfare B</b> <ul style="list-style-type: none"> <li>• Where an applicant or a member of their household has</li> </ul>	<b>Neutral:</b> No change to points awarded. Clarification on wording of examples

	<p>to move in order to be near a person to whom they give or receive care and support. The applicant should be in receipt of Attendance Allowance or Personal Independence Payments at the middle or highest rate. The carer should normally be in receipt of carer's allowance or the applicant is receiving a package of care following a social work assessment.</p> <ul style="list-style-type: none"> <li>• Where the accommodation is required to meet the needs of a child who has been assessed as in urgent risk of harm due to their accommodation as assessed by Children's Services.</li> <li>• Where an applicant is experiencing a threat of violence, abuse or harassment that is impacting their living conditions</li> <li>• Where accommodation is required to meet the needs of a child as assessed in a Child in Need (CIN) plan</li> <li>• The applicant is living in such insanitary conditions that their welfare is prejudiced, and there are no remedies available to improve the conditions including where there is damp and mould</li> </ul> <p><b>Welfare C</b></p> <p>The applicant is living in such conditions that their welfare is prejudiced for example, where there is mould and condensation and limited remedies are available, to resolve the issue.</p>	
	<p><b>Management Transfers (page 27)</b></p>	<p><b>Neutral</b></p> <p>These points were previous awarded under welfare grounds.</p>

	<p>These points are only awarded to council tenants where a move is necessary on management grounds. Points may be awarded as follows: 150 points may be awarded:</p> <ul style="list-style-type: none"> <li>• Where there is evidence to indicate that the tenant is currently at risk of serious harm from a third party perpetrator(s). For example, risk of possible homicide, serious injury, assault or abuse including domestic or sexual violence</li> <li>• where it can be evidenced that the risks can only be managed effectively by moving the tenant elsewhere</li> <li>• where there is a corresponding safety plan in place setting out how the new address will be kept confidential, minimising the risks of the perpetrator (s) finding the victim/survivor</li> </ul>	
<p><b>Points awarded from previous Allocation Scheme (Retention Points )</b></p> <p>Applicants retain these points under previous Allocation schemes (2010 and 2013)</p>	<p><b>Points awarded from previous Allocation Scheme (Retention Points) (page 28)</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b> All applications to be re-assess and therefore these points will be no longer applicable</p>	<p><b>Positive</b></p> <p>Our analysis has shown this will disproportionately affect older age groups aged over 45. However, those applicants have had time to use points secured under previous schemes in 2010 and 2013 to secure a move. Removing these points will make the Scheme clearer and more transparent for all applicants.</p>
<p><b>Relationship Breakdown</b></p> <p>Where a relationship has occurred between couples and one or both partners are an Islington council tenant.</p>	<p><b>Relationship Breakdown</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• There is a growing increase in high needs single vulnerable applicants who require housing. This should be</li> </ul>	<p><b>Neutral</b></p> <p>Analysis shows as expected that males will be affected more than females by this change. Very few applicants were able to secure social housing through this points allocation. Applicants experiencing relationship breakdown will be able to seek advice and assistance to secure a settled</p>

	removed due to the severe shortage of social housing	home as a result of the Homelessness Prevention Act and have a much greater and realistic chance of actually securing an alternative settled home.
	<p><b>Domestic Abuse ( page 28)</b></p> <ul style="list-style-type: none"> <li>Applicants fleeing domestic violence and abuse that have been assessed by MARAC These applicants will be awarded <b>30 additional priority points</b></li> </ul>	<p><b>Positive</b></p> <p>Women and single female parents are over represented in this group.</p>
<p><b>New generation scheme:</b> Applicants must be living continuously as an agreed member of the household of an Islington resident for at least three out of the last five years</p>	<p><b>New generation scheme (page28)</b> Applicants must have lived continuously as an agreed member of the household of an Islington resident for the five years prior to the date of application</p>	<p><b>Neutral:</b> It is not expected that this change will have negative impact to any protected group</p>
	<p><b>Prevention of homelessness (page 30)</b></p> <p>Applicants who were owed under Part VII of the Housing Act 1996 a prevention duty (section 195(2)) or relief duty (section 189B (2)) who have accepted a private sector tenancy solution will be awarded <b>30 points.</b></p> <p>Applicants who would normally be offered a section 193 (2) main housing duty and who have accepted a private sector tenancy solution will be awarded <b>70 points.</b></p>	<p><b>Positive</b></p> <p>Women, single parents, people with a disability or impairment, people from a BAME background and younger people are over represented among those who make homeless applications when compared to the rest of the housing register and the general population.</p> <p>This points allocation will encourage homeless applicants to take up a housing option suitable for their needs and also allow them to remain on Islington's housing register.</p>
<p><b>Applicants not bidding</b></p> <p>The council will review all applications where no bid has been placed on a regular basis. Applicants will be</p>	<p><b>Applicants not bidding (Page 36)</b></p> <p>The council will review all applications where no bid has been placed on a regular basis.</p>	<p><b>Neutral</b></p> <p>It is not expected that this proposed change will have a negative impact to any protected group.</p>

<p>contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p>Applicants who persistently bid and do not attend viewings and applicants who consistently accept and later refuse properties may be suspended from the list for 6 months.</p>	<p>Applicants will be contacted to make sure that they understand how to bid and to ensure that they will be able to make future bids.</p> <p><b>Applicants who:</b></p> <ul style="list-style-type: none"> <li>• persistently bid and do not attend viewings</li> <li>• applicants who consistently accept and later refuse properties</li> <li>• or applicants who fail to bid for more than twelve months may be removed from the Housing Register.</li> </ul> <p>These applicants will be required to reapply if they consider they still have a housing need. Any decision to remove an applicant from the housing register is subject to review</p>	
<p><b>Supported choice</b></p> <p>Applicants agreed 2 offers of housing</p>	<p><b>Supported Choice (page 36)</b></p> <p>Where supported choice lettings are made an applicant will be given access to the choice based lettings system for a minimum of four weeks. If they are not successful within this time they will be made an offer of a suitable property based on their assessed need for accommodation.</p>	<p><b>Neutral</b></p> <p>Applicants selected for supported choice because they are unable to use the bidding system effectively will undergo a thorough suitability assessment to ensure that any offer made will meet their requirements. All final offers are subject to the reviews process which will ensure any offers made are suitable.</p>
<p><b>New homes Local Lettings Council Estate:</b></p> <p><b>Priority is given to:</b></p> <p>Secure council tenants Household members of a secure council tenants Secure council tenants requesting a like for like transfer</p> <p><b>Ward Priority</b></p> <p>Secure social housing tenants</p>	<p><b>New Homes Local Lettings (page 40)</b></p> <p><b>Council Estate</b></p> <p><b>Priority is given to</b></p> <p>Current secure council tenants who meet the bidding threshold</p> <p><b>Ward priority</b></p> <p>Assured/secure social housing tenants living in the ward where the new homes for social rent are built will be given priority when the new homes are let.</p>	<p><b>Positive</b></p> <p>The introduction of Lettings Plans for individual schemes will mean that although the overwhelming majority of lettings on new build properties will continue to be let to residents on the estate (or ward), some properties will be available for applicants who need to move area for safety reasons. Women are over represented among this group.</p>



<p>Household members of secure social housing tenants</p> <p>...</p> <p><b>Other new social housing</b></p> <p>This will apply to either current social housing tenants or family members living with the tenants for the last 12 months</p>	<p><b>Other new social housing</b></p> <p>Applicants must be assured/secure council tenants living in the ward who meet the bidding threshold</p>	
<p><b>Intra Estate Transfer</b></p> <p>20% of available voids on estates are prioritise to tenants who live on the estate</p>	<p><b>Intra estate Transfer</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• Due to the severe shortage of housing and the increase demand in high needs cases.</li> </ul>	<p><b>Neutral</b></p> <p>This scheme has been superseded by local lettings policy on new build property.</p>
<p><b>Keyworker housing</b></p> <p>Islington keyworkers (Social Workers, Teachers, Metropolitan police nurses working in Islington are awarded housing points to bid for a bedsitter or 1 bedroom accommodation on a non-secure let</p>	<p><b>Keyworker housing</b></p> <p><b>This section has been removed:</b></p> <p><b>Reason:</b></p> <ul style="list-style-type: none"> <li>• There is a growing increase in high needs single vulnerable applicants who require housing. This should be removed due to the severe shortage of social housing accommodation.</li> </ul>	<p><b>Neutral</b></p> <p>It is not expected that this proposed change will have a negative impact on any protected group.</p> <p>This was a scheme to encourage people to take up employment in the borough. There are low cost home ownership and intermediate rent opportunities available which are a more secure type of housing for these applicants.</p>
	<p><b>Supported housing move on new points allocation (page 20)</b></p> <p>100 points may be awarded to applicants in supported housing where it is in the council's wider strategic interest for these applicants to move on from supported housing Examples where this may occur include:</p>	<p><b>Positive</b></p> <p>This will enable the council to make best use of limited supported housing for those who require it</p>

	<ul style="list-style-type: none"> <li>• The applicant is in supported accommodation that they no longer need and that the council urgently requires that accommodation for other applicants</li> <li>• The supported accommodation scheme is closing down or changing use</li> <li>• The applicant has multiple complex needs and has a demonstrable need for settled accommodation in borough which they cannot reasonably be expected to find for themselves in the near future</li> </ul>	
<p><b>Armed forces personnel</b> To serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service</p>	<p><b>Armed forces personnel (p17)</b> To serving members or former members of the regular forces or reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service</p>	<b>Neutral</b>

#### 4. Safeguarding and Human Rights impacts

##### a) Safeguarding risks and Human Rights breaches

Please describe any safeguarding risks for children or vulnerable adults AND any potential human rights breaches that may occur as a result of the proposal? Please refer to **section 4.8** of the [guidance](#) for more information.

If potential safeguarding and human rights risks are identified then **please contact equalities@islington.gov.uk to discuss further:**

#### 5. Action

How will you respond to the impacts that you have identified in sections 3 and 4, or address any gaps in data or information?

For more information on identifying actions that will limit the negative impact of the policy for protected groups see the [guidance](#).

Action	Responsible person or team	Deadline
There is very little consistent recording of disability, and there is relatively little recording of religion, marital status and sexual orientation. There may be value in improving recording of these factors, to further inform future work in this area.	Housing Needs	
Do more work to develop positive and meaningful interaction between immigrant groups and local communities to reduce negative stereotypes	VCS team	

Please send the completed RIA to [equalites@islington.gov.uk](mailto:equalites@islington.gov.uk) and also make it publicly available online along with the relevant policy or service change.

**This Resident Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.**

**Staff member completing this form:**

Signed:



Date: 10/10/2022

**Head of Service or higher:**

Signed: *Ramesh L*

Date: 10/10/2022

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Homes and Neighbourhoods 222 Upper Street

Report of: Cllr O'Halloran Executive Member for Homes and Communities

Meeting of: Executive

Date: 20<sup>th</sup> July 2023

Ward(s): This report impacts on all electoral wards in Islington

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## Subject: New Temporary Accommodation Framework

### 1. Synopsis

- 1.1. To say that we have reached a national crisis in temporary accommodation would not be an exaggeration. Shelter have estimated that there are now over 250,000 people in temporary accommodation across the UK, including many children, with an already desperate situation worsened by the effects of the Covid-19 pandemic and the cost of living crisis. In London, London Councils have reported in March 2023 that there are 166,000 homeless households living in Temporary Accommodation in London, with 81,000 children now living in Temporary Accommodation. This is equivalent to one child in every classroom across London living in Temporary accommodation.
- 1.2. London is disproportionately impacted and in Islington, with over 1,058 homeless households placed in temporary accommodation at the end of June 2023 compared to 750 before the pandemic in March 2020, the challenge of finding appropriate and affordable accommodation for residents is immense.
- 1.3. This report brings forward an action plan for the ongoing procurement of temporary accommodation, fully utilising the Council's own stock whilst also giving the Council more flexibility to find good quality accommodation in a greater range of locations for leasing and to support private rented sector offers. We do not make this latter change lightly – searching for appropriate housing in Islington and as close to Islington as possible remains a core principle in line with legislation. However, given the constraints of the Local Housing Allowance and the Benefit Cap which continues to price residents out of the local area, the Council is having to broaden its search.

- 1.4. As set out in this report and detailed in our policies, households will continue to receive up to two offers of private rented sector accommodation and will retain their right to bid for council housing in Islington. The impact of this policy change will be closely monitored including through a new annual Temporary Accommodation report, which will be presented for scrutiny.
- 1.5. Alongside this change, we are bringing forward a significant investment in quality through our new Good Homes Standard for Temporary Accommodation. This builds on our existing commitment not to use Bed & Breakfast accommodation for families, recognising that 'Temporary Accommodation' can actually be someone's home now for several years, especially given the growing waiting list for general needs council housing and reduced number of lettings. Among other things, the Islington Good Homes Standard, will improve tenure security for those in temporary accommodation, and also seek to secure essentials like a cooker and fridge for people, when they first move into a property.
- 1.6. Ultimately, the Temporary Accommodation crisis will only be solved with a focus on the root causes of homelessness, the building of more social housing, and a more accessible, affordable and secure private rented sector.

## 2. Recommendations

- 2.1.1. To note the Temporary Accommodation Policy and Action Plan Report and agrees to publish and implement The Islington Good Homes Standard (for homeless households) (Appendix 5).
- 2.1.2. To agree an annual temporary accommodation (TA) scrutiny report be produced.
- 2.1.3. To note homeless households in temporary accommodation placed outside of the borough will retain their rights to bid for Islington's permanent social housing.
- 2.1.4. To agree the revised Temporary Accommodation Procurement Policy for Homeless Households (Appendix 1) including a revised Temporary Accommodation Supply Action Plan.
- 2.1.5. To approve the revised Private Rented Sector Offers Policy for Homeless Households (Appendix 2) .
- 2.1.6 To approve the revised Temporary Accommodation lettings framework (Appendix 3).

### 3. Background

- 1 This report aims to deliver revisions to existing approved policies to expand on our provision and access to good quality and affordable housing solutions for homeless families and individuals. This also meets key priorities of our Homelessness Prevention and Rough Sleeping Strategy, namely preventing, tackling rough sleeping and responding to the local housing market.
2. Revisions to the existing homelessness policies aim to increase access to affordable and suitable accommodation as well as introducing the Islington Good Homes Standards. The new policies will:
  - remove restrictions on geographical limitations for procuring good quality homes.
  - confirm a standard for private rented sector (PRS) and temporary accommodation homes.
  - confirm that the PRS will be used to prevent homelessness from the first point of contact with the council, through a rapid re-housing framework that is focussed on the needs of the resident.
  - improve 'trust and reliability' in the service so that when we say we will do something, we follow through with it.
  - encompass a restructure across the Housing Needs and Strategy service that aims to streamline the communication process and allow empathetic relationships to form between officer and customer.
  - aim to resolve the housing enquiry at the first point of contact with the service user being informed of the expected journey through the service from the outset.
  - provide accommodation in the private rented sector for care leavers as part of the council's corporate parenting duty.
3. The proposed approach remains in line with legislative requirements, government guidelines, relevant case law and our equality commitments. The first priority is still to secure good quality, affordable accommodation in Islington and where this is not possible to secure then to look at areas as close as possible to Islington until good quality, affordable accommodation is secured.

#### **BACKGROUND INFORMATION**

4. The council has specific duties towards homeless persons as set out in the Housing Act 1996 Part VII as amended (HA96), and the Homelessness Reduction Act 2017 (hereafter referred to as HRA17), including the duty to carry out enquiries to establish the level of duty owed to a household. If the Council has reason to believe that a homeless applicant may be eligible, homeless and in priority need, it has a duty to ensure that suitable temporary accommodation (TA) is available to the household.
5. The Homelessness Reduction Act 2017 (HRA17), introduced relief duties, following on from new prevention duties, requiring councils to take reasonable steps to help secure accommodation for any eligible person who is homeless for up to 56 days.
6. Where a main housing duty is accepted then the household remains in TA until they are permanently rehoused or until the duty ends for any other reason. In Islington, this has

meant waiting for a Part 6 offer of social housing. As the supply of social housing continues to be outstripped by demand, this has resulted in an increase in TA numbers.

7. The background leading to the implementation of these proposed policies is set against a national housing crisis, a rental market that is largely unaffordable due to central government welfare reforms and a continued fall in social housing annual lettings due to the Right to Buy outstripping our own ambitious new build homes project.
8. The Local Housing Allowance (LHA) rates and benefit caps set by central Government now make it almost impossible to re-house people into private rented accommodation locally in Islington. Additionally, the available move on options through the allocation of a social housing lettings has further decreased in the last 4 years by 21%. By way of context, there were 1,186 social housing lettings in 2019/20 in contrast to 937 lettings in 2022/2023. The reduction in lettings has resulted in residents occupying temporary accommodation for significantly longer periods with no guarantee that social housing will ever be provided. Using the Government's own data homelessness is expected to increase by 20% over the next 12 months and it is anticipated lettings of Islington Council and Housing Association accommodation lettings will continue to decline in numbers due to the financial fallout of Brexit and COVID19 and the cost of living crisis.
9. In an effort to address these challenges, a considered and measured needs assessment that adopts an honest, holistic and transparent enabling approach will be conducted. It is intended that the new service to be designed will support the aim to reduce the numbers of people in temporary accommodation. Homeless people would still receive housing advice, assistance and support when needed and the service offer will be designed to ensure the best accommodation is offered to homeless people in need, but the offer would not rely on expensive temporary accommodation. This offer of secure private rented accommodation would be made through a streamlined communication process and allowing empathetic relationships to form between officer and customer. The aim would be:
  - inform the service user of their likely journey from the outset.
  - to resolve and prevent homelessness at the first point of contact.
  - to ensure a Rapid Rehousing focus at the heart of the service offer
  - increase stability, with no need to move from one address to another address as is common in TA
  - eliminate the use of nightly paid temporary accommodation within the next 24 months
10. The Housing Needs and Strategy service will redesign its service with the aim of making Private Rented Sector Offers (PRSO) to households, as an option, where appropriate, at an earlier stage in homelessness prevention and relief activities. This re-design is aligned with best practice examples already adopted by a number of other councils in London.
11. The Procurement Policy (Appendix 1) is required to demonstrate Islington Council's procurement and allocations of temporary accommodation following the Supreme Court decision in *Nzolameso v Westminster City Council*. The Private Rented Sector Offer policy (Appendix 2) is required to give effect to existing provisions in Islington Council's Housing Allocation Scheme to discharge housing duty to statutory sets out the legislative framework and Islington Council's policy for making PRSOs to homeless households by



making a PRSO, subject to suitability and compliance with the Homelessness (Suitability of Accommodation) Order 2012. The Lettings framework (Appendix 3) addresses the provision of temporary accommodation and creates three bands for the assessment of suitable temporary accommodation and is required to evidence compliance with the 1996 Housing Act (as amended) and the Localism Act 2011.

12. A large number of recent reports from Shelter, Crisis, etc. have demonstrated the negative effects of homelessness and temporary accommodation on people's physical and mental health. More stable and settled accommodation available in the private rented sector may contribute positively in addressing the effects of homelessness and periods in temporary accommodation. The aim of this new policy framework is to provide good quality accommodation for the resident following the first point of contact with the Housing Needs and Strategy service to build stability in the resident's life and remove the temporary nature of accommodation historically provided by the council.
13. The gross cost to the council's General Fund for providing temporary accommodation for homeless households is shown in table 1 below:

Financial Year	Gross Cost
2017/2018	£9,403,602
2018/2019	£9,963,767
2019/2020	£11,184,865
2020/2021	£12,406,383
2021/2022	£13,755,210

This cost does not include the costs of the Housing Needs and Strategy Team, or costs contained within the Housing Revenue Account (HRA). The 46% increase in cost to the council's General Fund since 2017/18 demonstrates the ever increasing pressure on the council's finances and provision of temporary accommodation. The budgeted cost to the council for each homeless presentation using the current framework is approximately £2,500 per year, actual costs for larger households are often far in excess of budgeted costs.

14. While demand for housing and homelessness has steadily increased over the past few years, this has grown much more rapidly both in Islington and across London. There are now over 990 homeless households in TA at the end of February 2023, whereas in April 2018 there were under 745. Table 2 below shows the homelessness approaches recorded by Islington Council as an indicator of the growth in homelessness demand over the last three financial years. The 2020/21 increase represents a 37% increase in approaches from 2018/19.

**Table 2: Homeless approaches**

Financial Year	Number of homeless approaches
2018/2019	853
2019/2020	975
2020/2021	1167
2021/2022	1030
2022/2023	1498

15. There is a fair degree of certainty that homelessness presentations will continue to rise over the immediate future. This is anticipated on the basis of:
- increasing demand to date.
  - the Covid-19 pandemic which saw a further spike of 20% over the course of 2020/21 (in contrast to the previous year);
  - continued and impending financial fallout of the pandemic;
  - Brexit;
  - Lifting of the evictions ban.
  - The enactment of the new Domestic Abuse Act.
  - Central Governments own projections indicate a further 20% increase in the next 12 months;
  - Cost of living crisis.
16. The Accommodation Procurement Policy (Appendix 1) responds to the acute difficulties in procuring sufficient temporary accommodation within Islington and London for homeless households. It provides an action plan for meeting demand and sets out the procurement principles that will be followed for sourcing properties, both for temporary accommodation and for private rented sector offers.
17. The policy aims to provide enough housing for homeless households to meet demand. It aims to contain temporary accommodation costs by ensuring that supply is affordable to the council and within subsidy levels and this is a key procurement principle. The policy also aims to ensure that housing, for both temporary accommodation and for private rented sector offers, is affordable to low income households and within benefit levels, so as to remain sustainable in the longer term. This means that some properties procured will sometimes be located outside Islington.
18. The policy also aims to ensure that locations where properties are procured are suitable for homeless households.

19. The Private Rented Sector Offers Policy (Appendix 2) sets out that an offer of a suitable private rented tenancy may be made to any homeless household where the law allows. The policy acknowledges that a private rented sector offer is not appropriate for everyone. It excludes households which the council determines would be unable to manage a private rented sector tenancy and for households needing sheltered or wheelchair accessible housing. In these cases social housing will continue to be offered.
20. In order for private rented offers to be affordable to homeless households within benefit levels (or as close as possible), many of these offers are likely to be outside Islington. Support will be offered to households relocating outside Islington and to other households where needed, in order to minimise adverse impacts and to enhance the prospects of relocated families integrating into the new area.
21. The policy aims to reduce temporary accommodation use and contain costs by offering homeless households private rented housing, as an alternative to them spending potentially several years in temporary accommodation waiting for social housing. The policy also aims to help to improve outcomes for homeless households in that they will receive a quicker permanent offer of housing, in an area where they are able to settle and put down long-term roots.
22. Every effort will be made to find affordable properties in Islington or as close to the borough as possible and the evidence in the Accommodation Procurement Policy (Appendix 1) supports this by assessing availability and affordability in Islington and exploring incrementally outwards from the borough.
23. Accommodation will normally only be procured if it is affordable. Under the existing welfare reform conditions, it is necessary to ensure that households are not placed in accommodation that will result in them enduring avoidable financial hardship. Equally, it is not the intention of the policies for the council to have to provide ongoing financial support to cover housing costs for large numbers of households as this would be financially unsustainable given the significant financial pressures on public services.
24. Due to this shortage of affordable accommodation, out of borough placements into more affordable areas have become more prevalent particularly across London and the Southeast generally. In London, the data shows that 37% of households placed in temporary accommodation are placed in a different borough to the one which owes them a duty. In comparison, in quarter one, 2010/11; the equivalent proportion was only 13%.
26. The Temporary Accommodation lettings framework (Appendix 3) explains Islington Council will continue to seek accommodation within Islington wherever possible, however, more housing for homeless households will likely be outside Islington. This policy sets out how households will be prioritised for properties, both for private rented sector offers and for temporary accommodation, in different locations.
27. Over the last 3 years, there has been a 35% increase in homeless approaches to the local authority which has been further amplified with the recent Covid-19 pandemic and cost of living crisis.
28. It is noted that with the increase in temporary accommodation this will mean there will be a requirement to also source private rented accommodation outside of Islington. However, to ensure residents are empowered, Islington will operate within the PRSO

policy so that residents are able to source the property independently through our Self Help Scheme or through the assistance of Islington Council whom have built up a number of links to access private accommodation.

29. In each instance, the council will conduct a number of checks to ensure the property is affordable, meets the needs of the household and is at a standard of quality in which residents would be happy to reside.
30. The council will need to be alive to the possibility there may be less of a need for residents to travel into Islington for employment purposes as a result of Covid-19 and therefore consideration of other areas will also be an option for a number of our residents.
31. Accommodation in the private rented sector within Islington is often not affordable for many residents who approach the council. The local housing allowance (LHA) sets the amount of housing support paid out either as part of Universal Credit (UC) or under the legacy Housing Benefit, to those living in the PRS. LHA rates are set by calculating the 30th percentile of rents in 'Broad Rental Market Areas'. In Islington's case, the area includes neighbouring boroughs where rents are cheaper. The shortfall between LHA rates and private rents in Islington is stark, as shown in Table 3 below:

**Table 3 Accommodation type Market Rents and LHA rates**

Average Market Rent per month	LHA rates per month
Studio £940	£668
1 bedroom £1,450	£1,280
2 bedroom £1,880	£1,586
3 bedroom £2,100	£1,915
4 bedroom £3,250	£2,573

32. Therefore, the following framework is proposed to extend our provision of quality services and access to affordable housing solutions for homeless families and individuals. The council's order of priority will be to:
  - secure accommodation in Islington as a default.
  - where it is not possible to secure good quality, affordable accommodation in Islington, secure accommodation in surrounding boroughs.
  - where it is not possible to secure good quality, affordable accommodation in surrounding boroughs, secure accommodation in other London boroughs.

- where it is not possible to secure good quality, affordable accommodation in other London boroughs, secure accommodation in other areas within the M25 or further afield if required.

The council will also work to secure accommodation for those households who wish to live outside of this area.

34. The accommodation offered will be within 90 minutes reasonable journey time by public transport from the address the household was living at before they became homeless. Travel times will be measured using the Transport for London online Journey Planner. However, applicants who have as part of their household, a child or children who are enrolled in public examination courses in Islington, with exams to be taken within the next six months will be allocated accommodation as close to the school as possible and with Wi-Fi connection provided for the household. Please note the council's aspirations is to re-house people as close to Islington as possible and the aspiration is to accommodate people within one hour of Islington.
35. Therefore, the Accommodation Procurement Policy for Homeless Households (Appendix 1) and the Private Rented Sector Offers Policy for Homeless Households (Appendix 2) will apply the Islington Good Homes Standard (for homeless households).
36. The proposed Islington Good Homes Standard for homeless households would move all families from nightly paid accommodation into Private Sector Leased accommodation or Private Rented Sector where affordable. The Good Homes Standard would also build on and advance the council's work which eliminates the use of Bed and Breakfast accommodation usage by families, by providing tenancies to all homeless families after 28 days, something which is currently not achieved by the Housing Needs and Strategy service.
37. The council's current framework to provide accommodation for homeless households does not meet the following elements of the proposed Good Homes Standard:
  - As a tenancy in the household's name (with a rent review clause to ensure any future increases are fair and reasonable). At the moment this standard is not implemented for Nightly Paid households. However, for all other households this standard currently exists.
  - Has a cooker that is in good, clean, working condition. This is not a standard currently available in 100% of our temporary accommodation properties.
  - A written contract, including clear details of when and how your rent should be paid. At the moment this standard is not implemented for Nightly Paid households. However, for all other households this standard currently exists.

### **Cost assumptions**

38. It is assumed that any current homeless household living in Nightly Paid Private Sector Leased accommodation will be moved to more affordable private rented sector accommodation. There are approximately 531 homeless households currently living in this accommodation.
39. The payment of incentives will need to continue to be paid to Private Sector landlords through the existing framework, which is assumed will remain as is. The average cost of

the incentive payments per property is £2,800, which is a recurring cost to the authority every three years. The incentive costs are based on the existing homeless households and assume all properties meet the Good Homes Standard and remain in the accommodation for the rest of the financial year.

40. The council will discharge its homeless duty through the proposals above to homeless households in the future in order to enable the council to balance the precise housing needs of each household, meet our legislative duties and help to deliver a service within the budget provided for the service.
41. The proposed Good Homes Standard is a positive step forward and a step to provide greater security to homeless households. This new approach therefore sets out a framework which will take steps to eliminate unstable forms of temporary accommodation, namely nightly rate temporary accommodation.
42. A further proposal is to confirm an approach for providing shared nightly rate accommodation for single homeless households. This provision will be in line with legislative requirements and guidance, with The Homelessness (Suitability of Accommodation) (England) Order 2003 and The Homelessness (Suitability of Accommodation) (England) Order 2012 of particular relevance. The 2003 Order states that families should not reside in shared B&B for more than 6 weeks, this includes pregnant households. However, this ruling does not extend to single people.
42. The council would not look to place anyone into shared accommodation if there were health risks associated with this and a suitability assessment will be completed for any placements into this type of accommodation.
43. Access to shared temporary accommodation for single households makes a significant difference to the cost pressures on the General Fund budget.
44. TA is demand driven and nationally, homeless levels have steadily increased over the last decade and continue to do so (an increase of 151 households in the last 12 months). This is largely due to the impact of welfare reforms and the unaffordable nature of the private rental market. However, these factors have been seriously exacerbated by the cost of living crisis, and the impact will continue to be felt with more business failures and rising unemployment. Furthermore, as government financial assistance schemes cease and an inevitable spike in private sector evictions occurs, all leading to considerable budget uncertainty throughout next year and beyond. It is therefore necessary to review the current policy framework with a view to maintaining the council's statutory homeless obligations but in a more cost effective and sustainable way. The policy changes proposed have been carefully considered and will help to reduce the budget pressure going forward.
45. The new approach is targeted at some of the most disadvantaged households and the new approach is in line with a recognition that we are spending more funds at a time the council's finance are under considerable strain as a result of COVID19.

## **Conclusion**

46. Islington Council is working within a housing and homelessness crisis, and this is set against a backdrop of financial austerity.

47. The continued financial pressures faced by Islington Council have been exacerbated by the cost of living crisis and the proposed revised policies are required to balance these pressures against maintaining a provision of quality, affordable homes. We are still not able to re-house all the homeless people who approach the Housing Needs and Strategy service for housing advice, assistance and support within council and housing association homes due to the severe reduction in available social housing lettings.
48. Consequently, the council has experienced a significant increase in households in temporary accommodation from the 745 on 31 March 2018 to 976 as at the 1<sup>st</sup> of March 2023 (24% increase).
49. The current framework is still heavily reliant on rehousing homeless people in temporary accommodation which is causing extreme financial hardship for homeless people due to the expensive nature of this type of accommodation. If these homeless people could be rehoused into Private Rented Accommodation at the Local Housing Allowance rates, then the family's financial well-being would greatly be improved.
50. The current framework of rehousing homeless people into expensive nightly paid accommodation is placing severe financial pressure on the council, access to a greater supply of suitable and affordable good homes would help relieve some of this pressure.
51. Further to the Equalities and Health Analysis (Appendix 4) and quarterly briefings of the impact monitoring on these policies, the council will work in partnership with Crisis to fully review the policy implications of this report following the 12 month anniversary/implementation of the new policies.
52. The council will provide honest, transparent support and services to all homeless customers designed around the council's core principles.

### **Policy implications**

53. The proposed policies take account of the existing overarching Council policies:
  - Achieve budget savings over the next three financial years to achieve the council's Housing Investment Strategy.
  - Provide clear leadership and management to ensure the council is able to deliver commitments as set out in the Housing Strategy and the action plans contained therein.
  - Look for housing solutions that consider how children will have the best start in life.
  - Delivering the Islington Homelessness Prevention and Rough Sleeping Strategy

## **54. Implications**

### **a. Financial Implications**

- i. It is not possible to quantify the financial impact of this report. The number of households impacted cannot be determined and nor can

the costs of the areas they are placed. There are some 'On-costs' that are not quantifiable, but likely to occur, such as:

- ii. The cost of travel for those being resettled out of the borough
- iii. The cost of any legal challenges or liabilities from those offered accommodation outside of the borough.
- iv. The cost of resettlement i.e. removal costs.
- v. It is arguable that even with the costs highlighted above, the overall net costs will fall if these recommendations are implemented. The average net cost to the Council of TA is high in Islington and invariably lower in other boroughs. The Housing Needs service will need to monitor the on-costs combined with the net costs of housing cases in other borough compared to housing cases in borough to ensure value for money is maintained at all times.

**b. Legal Implications**

- i. The proposed policies and procedures annexed to this report provide a framework for the provision of accommodation in discharge of the council's homelessness duties, which meet the legislative requirements of Part VII of the Housing Act 1996, statutory orders, guidance and case-law.
- ii. The council has a duty to provide temporary accommodation to homeless households:
- iii. (i) who are eligible for assistance and have an apparent priority need, whilst enquiries are carried out; or
- iv. (ii) where a full re-housing duty is accepted pending a final housing offer.
- v. Temporary accommodation offered by the council must be suitable and as required by s208 (1) of the Housing Act 1996 must be, so far as reasonably practicable, within the borough of Islington. In the case of *Nzolameso v Westminster City Council (2015)* the Supreme Court gave guidance that whilst it is lawful to provide temporary accommodation outside the borough, a local authority should have policies as to how temporary accommodation is procured and how it is allocated to homeless households.
- vi. The Private Rented Sector Offer Policy for Homeless Households sets out how the council will use its powers to make offers of private rented accommodation to discharge its duties to homeless households owed the prevention duty, the relief duty or the full re-housing duty.
- vii. The proposed policies and procedures also address the general duty the council is under, pursuant to s11 Children Act 2004, to have regard to the need to safeguard and promote the welfare of children within their area.



viii. In discharging its functions to homeless persons, the council must also have due regard to the Public Sector Equality Duty in s149 Equality Act 2010. This duty has been considered in the formulation of the proposed policies and procedures for the procurement of accommodation, the framework for temporary accommodation lettings and the criteria for the use of PRSOs.

**c. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

i. There are no known environmental implications associated with this report.

**d. Equalities Impact Assessment**

i. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

ii. An updated Equality Impact Assessment (EIA) is attached at Appendix 4. Overall, the EIA concludes that not all of the potentially negative impacts on households can be mitigated, but that equality implications have been fully considered and that the policy approaches have been justified. It is required to consider the potentially negative impacts on protected groups and whether these impacts are justified by the council's wider objectives in implementing the policies. The impact of the policies and in particular the equality impact of the policies will in any event be kept under regular review.

## **55. Conclusion and reasons for recommendations**

### **Risk Management Implications**

56. There is a risk that there will be limited affordable private rented properties to meet the needs of homeless households. While the research gave an indication of different locations where properties may be available, market changes can happen quickly and the actual availability of properties depends on the willingness of landlords to let accommodation to homeless households. To mitigate this risk, incentives will continue to be offered to landlords to secure properties in line with local market intelligence.

The supply and availability of properties will be kept under review but it needs to be noted that building up supply to meet demand is likely to take time.

57. There is a risk of legal challenges where offers are outside Islington and potentially outside of London, or where shared accommodation is offered in light of Covid-19 risks. To minimise this, an individual suitability assessment will be carried out before an offer is made in line with legislation and statutory guidance.

**Consultation**

58. The council recently consulted residents and partners during the housing allocations scheme consultation exercise on the proposals contained within this report and the results of this consultation exercise are as follows:

59. The council received 950 responses from residents following the eight-week consultation period relating to the Housing Allocations scheme and the proposal received the following responses.

Prevention of homelessness by using the Private Rented Sector	66% of responses are in favour of the proposals	13% of the responses do not support the proposals	21% of the responses have no opinion.
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60. The new temporary accommodation framework promotes the council’s CARE values and makes Islington a more equal place to live.

**Appendices:**

Appendix 1 Accommodation Procurement Policy for Homeless Households

Appendix 2 Private Rented Sector Offers Policy for Homeless Households

Appendix 3 Temporary Accommodation Lettings Framework

Appendix 4 Islington’s Accommodation Procurement Policy for Homeless Households, Private Rental Sector Offer of Accommodation Policy and Temporary Accommodation Lettings Framework: Equality and Health Analysis

Appendix Five Quality Standard for homeless households living in temporary accommodation

**Background papers:**

- None.

**Final report clearance:**

Approved by:

**Cllr O'Halloran Executive Member for Homes and Communities**

Date: 3<sup>rd</sup> July 2023.

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## Appendix 1 Accommodation Procurement Policy for Homeless Households

### Section 1: Introduction and Scope

1. This policy sets out:
  - Challenges facing the council in procuring accommodation for homeless households, both for temporary accommodation and for private rented sector offers (“PRSOs”) to discharge the council’s homelessness duties (see below for a detailed explanation of the differences between them).
  - The general principles that will be followed when procuring private accommodation for homeless households.
  - An estimate of the number of properties that are needed for these purposes and an action plan for meeting these needs.
  - An action plan for procuring properties for homeless households.
2. This policy will be monitored and formally reviewed after it has been in operation for 12 months and annually thereafter.
3. Temporary Accommodation comprises two forms of accommodation. First, emergency accommodation (called stage 1), for use during the relief stage of homelessness and provided to a household with apparent priority need whilst a household’s their homeless application is being assessed. Secondly, there is longer-term, (stage 2) accommodation. This accommodation is for households where the council has accepted a housing duty to them and is provided until suitable longer longer-term accommodation is available.
4. Stage 1 accommodation is generally ‘nightly-booked’ as it is only intended to be for short periods of time and is more expensive than longer term Stage 2 accommodation. In addition to this, the council has 69 reception centre spaces for general needs homeless households, which is cost neutral to the council.
5. The council has arrangements with local landlords and also a small number of registered providers (housing associations) to provide Stage 2 accommodation. In addition to these leased forms of accommodation, the council uses its own vacant stock which is decanted and planned for regeneration.
6. Private rented sector offers (“PRSOs”). These are offers made by the council to homeless households under either:
  - the prevention duty;
  - the relief duty; or
  - the full re-housing duty.

The offer made is of private rented accommodation on the basis of a fixed term Assured Shorthold Tenancy. The council has decided to make these offers to provide people with sustainable, affordable and more settled accommodation as an alternative to a long wait in temporary accommodation for social housing.

## Section 2: Procurement challenges

7. There are severe constraints on the amount of temporary accommodation that can be procured from registered providers or by direct purchase. While the council will continue to pursue such opportunities where they are available, a key component in the council's procurement strategy is accommodation sourced from the private sector.

### Accommodation Procurement Policy for Homeless Households:

8. The council aims to procure as much private accommodation for homeless households in Islington - or as close to it as practicable – as it can. This is the best way of helping households to remain in their communities and to enable the council to meet its legal duty to house homeless households in Islington wherever “reasonably practicable”.
9. However all local authorities are finding temporary accommodation increasingly difficult to procure to meet increasing demand, as the private sector rents increase and the number of landlords willing to let to households on benefits is reducing.
10. Securing private rented properties which are affordable to homeless households in Islington is extremely (and increasingly) challenging. Private rents here are amongst some of the most expensive in London (and, indeed, the United Kingdom as a whole) and the majority of homeless households have low incomes. Currently around 90% of the 930 households in temporary accommodation are in receipt of either Housing Benefit or Universal Credit.
11. Table 1 shows the difference between allowable temporary accommodation Local Housing Allowance (LHA) rates and average rents from the Government own data in Islington as at the 31<sup>st</sup> March 2023. The gap in the weekly rates is most pronounced for larger bedroom properties.

Table1:

Average Market Rent per month	LHA rates per month
Studio £940	£668
1 bedroom £1,450	£1,280
2 bedroom £1,880	£1,586
3 bedroom £2,100	£1,915
4 bedroom £3,250	£2,573

12. For vulnerable households struggling to pay their rent, initiatives such as assuring private tenants' rent may help to retain their tenancies and avoid homelessness. In exchange, the households must show the council that they have taken steps to increase or maximise their incomes, including by embarking on training programmes or engaging with the council's IMAX team.

13. The overall benefit cap for non-working single people is £296.35 per week and £442.31 per week for couples and families in London. It can therefore, be seen from table 1 the challenges homeless households face with the low benefit cap thresholds in London.
14. Considerable work has been done to procure and to retain as much temporary accommodation within (or as close to it as practicable) to Islington as possible. Rising rents and a very competitive market locally and in London is making it harder to procure new properties here or nearby. Frequently, given the current demand for rented property, when current leases end in Islington landlords often move into new markets for which they can achieve higher rents. The result is that emergency nightly booked is being used for longer periods after a housing duty has been accepted; this is helping to drive up the cost of temporary accommodation.
15. Rising homelessness levels across London and the resulting growth in demand have led to an increasingly competitive temporary accommodation market in London and the South East. Most London boroughs face similar challenges and are finding few properties with rents that are near LHA rates more difficult to procure.
16. The reduction in the household benefit cap for non-working households (from £26k to £23k in London for families and couples and from £18k to £15.4k for single people) will make it harder for all boroughs to find affordable private rented accommodation for non-working households. 1,094 households claiming Universal Credit in Islington as at the end of March 2023 have been Benefit Capped.

### **Section 3: Procurement principles**

17. The following principles will apply when procuring properties for both temporary accommodation and private rented sector offers:
  - The council will act to ensure it is compliant with all relevant legal obligations and have regard to all relevant legal guidance.
  - The properties need to be affordable and sustainable in the longer term to the households that occupy them so they are within benefit levels and temporary accommodation subsidy rates. This will give homeless households the best opportunity to settle in an area and the lowest likelihood of them having to move again.
  - The properties we offer to households will be suitable, compliant with health and safety specifications and be in a decent condition.
  - The council's first priority will be to secure accommodation in Islington, where it is not possible to secure good quality affordable accommodation in Islington the council will next look in surrounding boroughs, then in other London boroughs and then in other areas increasingly further afield. The council will also work to secure accommodation for those households who wish to live outside of this area.

- Regard will be had to the Pan London Agreement on Inter-Borough Accommodation. This aims to ensure that where a borough is placing a household in temporary accommodation they will not offer the landlord more than the receiving borough would.
- Landlords may on occasions be offered incentives above temporary accommodation subsidy rates or LHA levels in order to procure properties to prevent homelessness - and where the practice will help secure longer-term savings. Where these incentives are offered the council will not offer more than the host borough if the properties are outside Islington.
- The affordability of properties will be a key factor when procuring properties. Properties should be cost neutral to the council and within allowable subsidy rates or benefit levels in order to meet budgetary targets. Over the last financial year temporary accommodation gross cost to the council is over £12 million as it has not been possible to procure properties within the subsidy rate.
- Where the council is procuring properties outside Greater London it will, as far as possible, focus on more urban areas whose diversity so far as practicable reflects that of Islington and so are likely to have more facilities and support networks for people from Islington with particular protected characteristics. Evidence of the scope and range of employment opportunities will also be taken into account.

#### Section 4: Estimating and meeting need

18. Temporary accommodation demand and supply comes from new households that are accepted as homeless and households that need to move within temporary accommodation (because they are overcrowded, for example). Homeless demand in the longer term is difficult to predict as it is driven by a complex range of socio and economic factors, including changes to national legislation and policy. A national shortage of truly affordable housing and unaffordable rents in the private sector in and around Islington remains an important driver. These factors have led to a continued increase in homelessness applications shown in the following tables:

#### Homeless approaches

Financial Year	Number of homeless approaches
2018/2019	853
2019/2020	975
2020/2021	1167
<b>2021/2022</b>	
<b>2022/2023</b>	

#### Numbers of homeless households living in temporary accommodation

31 <sup>st</sup> March 2020	749
30 <sup>th</sup> May 2021	930
31 <sup>st</sup> March 2022	848



19. The council is rolling out a policy to offer homeless households private rented tenancies to discharge the council's main housing duty (Appendix 2). This is intended to contain temporary accommodation demand and costs and to help give homeless households more sustainable, long-term housing options and avoiding the uncertainty of long waits for social housing. The focus will always be on the prevention of homelessness and the use of this policy is to improve the well-being of our residents.

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## Appendix 2 Private Rented Sector Offers Policy for Homeless Households

### **Section 1: Introduction**

1. The Localism Act 2011 (sections 148 and 149) introduced provisions which enable the council to bring its statutory housing duty under section 193 of the Housing Act 1996 as amended (HA96) to an end, by making an offer of a private rented sector tenancy rather than a social housing tenancy.
2. Amendments under the Homelessness Reduction Act 2017 extend the powers in the Housing Act 1996 to encourage local authorities to embed an approach to use private sector accommodation to discharge its Prevention Stage and Relief Stage duties to homeless households and households threatened by homelessness.
3. The aim of the Homelessness Reduction Act is to assist households with resolving their homelessness situation. Households that reject a private rented sector offer (“PRSO”) during the Prevention Stage and Relief Stage would still have the same entitlement towards be assessed for a full housing duty.
4. This policy sets out the basis on which the council will use these powers.
5. The policy should be read in conjunction with:
  - The Temporary accommodation lettings framework – this sets out how homeless households will be prioritised for private rented sector properties in different locations.
  - The Accommodation Procurement Policy for Homeless Households – this sets out the council’s approach to procuring private rented sector properties including those for PRSOs.

### **Section 2: Who private rented sector offers (PRSOs) will be made to**

6. The council’s policy is that a PRSO may be made to any homeless household where the law allows it.
7. Paragraphs 1 and 2 set out the legislative framework where this can be applied.
8. The council will use the powers set out in the Homelessness Reduction Act to make PRSO offers to Prevention Stage and Relief Stage homeless households.
9. The council will use the powers set out in the Localism Act to make PRSO offers to accepted cases i.e. statutory homeless households to which the council owes the full housing duty (Section 193 HA96). The number of households that will be made a PRSO each year will depend on the supply of suitable private rented sector properties.
10. The following groups will ordinarily be excluded from PRSOs:

- a. Households eligible for sheltered housing - as it is unlikely that this type of housing can be provided in the private rented sector.
- b. Households that need wheelchair adapted properties – as these can be hard to procure in the private rented sector.
- c. Any household which the council determines would be unable to manage a private rented sector tenancy.
11. Exceptions may also be made for other households in respect of whom there is a compelling reason why a PRSO would not be appropriate. A decision will be taken after a consideration of each household's individual circumstances.
12. The following general principles will apply when making private rented sector offers:
- Two suitable offers will be made. Duty will be discharged to households that refuse the second suitable offer although households will have the right to challenge this through a statutory review.
  - Support to move may be offered. In the main this will focus on households that are relocating from London and will be tailored to the individual needs of each household and may include help to: transfer any care and support packages, access to employment support, enrol children in schools, and register with a GP and to access other local services. Support to other households that are not moving outside London may also be offered in some circumstances and the need for it will be assessed on a case by case basis.
  - The principles behind the accompanying TA Lettings Framework and the Accommodation Procurement Policy for Homeless Households will be applied when making private rented sector offers for available properties to appropriate households. Generally, this means we will only place households somewhere that is deemed suitable for them and we will seek to acquire properties within or as close to Islington as is possible.

### **Section 3: Reviewing and monitoring the policy**

13. The policy will be reviewed after it has been in operation for twelve months and the outcome will be reported to the Executive.

## Appendix 3 Temporary Accommodation Lettings Framework

### 1. Introduction

2. If you have approached Islington Council for housing advice and assistance and the council has been unable to help prevent you from becoming homeless, despite your co-operation, then the next step could be that you are offered temporary accommodation (TA).
3. The requirements for the provision of temporary accommodation are set out in the Housing Act 1996 as amended ('HA96'). This policy also takes into account the statutory requirements on local authorities in respect of suitability of accommodation, including Suitability Orders, case law, and the Homelessness Code of Guidance 2006.

### 2. Deciding on the right accommodation for you

4. When you ask for help with housing, we ask about your circumstances so we can decide how best to help you. For example, we will ask about:
  - What factors are putting you at risk or causing you to be homeless.
  - Where your children go to school and whether they have any special educational needs
  - Whether your children have exams in the next six months
  - Whether you or your children have any health needs
  - Whether your children are subject to a child protection plan
  - What GP or hospital you are registered with and what treatment you are receiving
  - Whether you work and how much you earn
  - What benefits you are claiming
  - What local services you are accessing, particularly whether you are getting support from social services
  - The potential relocation of families at risk of exploitation.
5. When we offer you temporary accommodation, we use the information you have given us to match you up with a suitable property. Due to shortages of properties available within Islington, unless you fall into one of the categories set out in the scheme as having priority for an Islington home, it is likely that we will offer you accommodation outside the borough. We will always ensure that any home we offer you is suitable for your specific needs.
6. Wherever possible, the Council will avoid placing: families with dependent children; pregnant women; and, young people aged 16/17 in shared bed and breakfast accommodation. Where no other suitable accommodation exists and such placements are necessary in an emergency situation, the Council will move these households to more suitable self-contained accommodation as soon as possible and within six weeks.
7. The types of accommodation offered. In most cases, while we work with households to resolve their homelessness, those eligible for temporary

accommodation will initially receive Stage 1 TA. This is 'emergency' housing booked for you on a nightly basis, like a self-contained letting in the private rented sector. Where possible, this will be self-contained.

8. If we have still not resolved your homelessness situation during the 56 day Relief Period and if the Council decides it has a duty to house the household (section 193 HA96), you will be moved to longer-term accommodation as soon as a suitable property becomes available. You are likely to remain in this accommodation while you wait for your 'final stage' home which could be in the private rented sector or social housing i.e. a council home.
9. **How the council finds temporary accommodation**
10. The council's Accommodation Procurement Policy for Homeless Households sets out how we obtain temporary accommodation and why an increasing amount of temporary accommodation is located out of Islington.
11. **Where the temporary accommodation is located**
12. The council aims to offer accommodation within the borough. However, Islington is one of the most expensive and highly sought-after places in the country to live and this means that there is not enough temporary accommodation available here for everyone. Where it is not possible to offer you accommodation in-borough, we will offer you a home that is as close as reasonably practicable to where you were living before you became homeless.
13. Since 2019, the number of households approaching the council because they are homeless has increased by 20%. This is due to a number of factors such as COVID19 Pandemic, Welfare Reform impacting households through the Benefit Cap, frozen Local Housing Allowance rates and the rising rental costs in London generally.
14. **Deciding who gets which property on any given day**
15. Every day, our Temporary Accommodation team obtains a list of all the properties that are available from our various suppliers. These could be 'nightly booked' properties that we use as emergency housing, or longer term 'stage 2' accommodation, and they could be located in Islington, in other boroughs or out of London.
16. Next, the team looks at the list of people who are currently waiting for an offer of temporary accommodation and matches each available property with the household whose needs match it. The team has a list of everyone waiting which includes information about how long they have been waiting and details of their particular circumstances and needs – such as what size, type, location of property would be suitable for them.
17. There are a huge number of factors to consider when allocating a property, for example – how big is it, does it have stairs, where is it located, is it 'nightly booked' or 'longer term', how close it is to public transport links. Our team

takes all these issues into account when making an offer. Whilst we would like to offer everyone a property in Islington, there simply aren't enough homes available here to do that. Therefore, we usually offer any available in-borough properties to households who have been assessed as needing an in-borough offer. Level access properties will usually be offered to those who have severe mobility needs or where someone uses a wheelchair.

18. On the rare occasions that we receive a property that is in particularly short supply, such as a very large home or a longer term, in-borough home and we do not have a family who has been assessed for that type of home waiting, we may decide to hold that property back until a family that really needs it comes to our attention. This is because we know that it may be a long time before another property of that type becomes available again and given the heavy demand we face from homeless families who need housing, it is very likely that in the next few days a family will come in whose need for that particular home are greater than those waiting today.
19. **Examples**
20. Every household's circumstances are different and we assess everyone on a case by case basis taking into account the full range of needs that the household has. As noted, our aim is to offer properties in Islington wherever we can but that in many cases, this may not be reasonably practicable due to a shortage of supply and requirements of suitability (including affordability).
21. The following are examples of the types of households who we would assess as needing to be housed in-borough, as needing accommodation within a specified travelling distance to Islington and those who could be housed further afield.

#### **Band 1 – Islington and adjacent boroughs**

- Children with a Statement of Special Educational Need, Children Leaving Care, Child In Need or Child Protection Plan receiving such a significant package of care from a variety of providers that transferring them elsewhere will create significant risk to the safety and sustainability of the caring arrangements.
- Households with complex needs who are engaged with services and where a move out of borough may severely disrupt this engagement thus creating significant risk to the safety and sustainability of the caring arrangements.
- Households who have a longstanding arrangement to provide care and support to another family member in Islington who is not part of the resident household and would be likely to require statutory health and social support if the care ceased.
- Any other special circumstance will also be taken into account.

#### **Band 2: In borough or the rest of Greater London**

- Applicants who have been continuously employed in Greater London for a period of six months, and for 24 hours or more per week. Women who are on

maternity leave from employment and meet the above criteria would also be prioritised for placements in Greater London.

- Applicants who have as part of their household, a child or children who are enrolled in public examination courses in Islington, with exams to be taken within the next six months.
- Relocation of families at risk of exploitation.
- Any other special circumstance will be taken into account.

### **Band 3: In borough or further afield**

- Non-working households.
- Households with children at nursery, primary or secondary school, who are not sitting public exams.
- The household is receiving services locally but support could be transferred to another area without severely disrupting caring arrangements.

### **22. Vulnerabilities**

23. Our scheme sets out how we determine who gets priority for in borough temporary accommodation, when there is not enough available for everyone.
24. The council has a duty to have regard to the need to safeguard and promote the welfare of children. If your child has a statement of Special Educational Need or is currently the subject of a Child In Need or Child Protection Plan, we will liaise with Children's Services to ensure that any offer we make is suitable and meets your child's needs. Where your child is currently in a public exam year, we will ensure that any accommodation offered is within reasonable travelling distance of school so they can continue their studies uninterrupted.
25. We also have a monthly liaison meeting with Children's Services where we discuss the needs of those families we know are threatened with homelessness so we can jointly plan how best to meet their housing and support needs in the future.
26. The council recognises that in many cases it may be in the best interests of children to remain at existing schools where they are settled. Unfortunately due to the difficulties in procuring accommodation referred to above it is not always possible to offer accommodation which avoids the need for parents to consider moving their child's school and we have to prioritise the needs of the most vulnerable children.
27. If your children are not sitting a public exam and do not have any special needs, you may decide that moving your children to a school nearer your temporary accommodation may be preferable to travelling back and forward. Section 14 of the Education Act 1996 requires that all local authorities provide school places for all resident children. Once moved to your new address, you can apply for a school place from the local council – in most cases the relevant forms are available on the council's website. If you need help with this, please tell us and we will be happy to assist.



28. **Temporary accommodation offers and refusals**

29. Applicants will be given two offers of suitable interim or longer-term temporary accommodation and they will be asked to accept the second offer straight away. There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. In making the offer, the household's individual circumstances will be considered, taking into account the factors set out in section 2 of this policy and the Council's criteria on out of borough placements.
30. If an applicant is dissatisfied with an offer of temporary accommodation (which may include out of borough placements), they can lodge a complaint and provide their reasons. This applies to new applicants to whom the Council has an interim duty to accommodate under Section 188 (1) of the HA96, those where the Council exercise their discretion to accommodate under Section 188 (3) of the HA96, as well as those seeking a transfer from existing TA.
31. If an applicant refuses the second offer and the Council is satisfied that the offer was suitable then applicants will not be offered further accommodation and the Council may discharge its temporary accommodation duty towards them and the households will be required to make their own arrangements. There is no right of appeal against the suitability of accommodation offered to applicants under Section 188 HA96 (although they can apply for judicial review through the courts)
32. This also applies to all customers who are provided with temporary accommodation by the Council pursuant to its relief duties under S.189B HA96.
33. If an applicant is accepted as homeless and is owed a rehousing duty under Section 193 of the HA96, they can request a statutory review of the offer pursuant to Section 202 HA96 of accommodation (including subsequent offers where they are required to move to) within 21 days of the offer. The applicant can make representations in support of their review and the Council will consider the reasons given and undertake further enquiries as necessary. If the Council accepts the reasons for the review and agree that the offer is unsuitable, the offer will be withdrawn and a further offer of accommodation will be made. If a customer rejects an offer of accommodation and the Council determines that the accommodation is suitable, the Council will discharge its full housing duty towards the applicant and they will be required to make their own arrangements.
34. If the applicant is resident in emergency accommodation, they will usually be asked to vacate the property within 7 days and advised that no further assistance will be provided. If they are already in longer-term temporary accommodation, the current housing provider should be advised that the duty has been discharged.
35. Where applicants whom the Council has accepted a s193 duty refuse a suitable offer and submit a review request, they will only continue to be

accommodated during the review period in exceptional circumstances. Each case will be considered on an individual basis, taking into account the overall merits of the review request, any new information or evidence that may affect the original decision, and the personal circumstances of the applicant and the potential impact of the loss of accommodation.

**36. Properties for rent on property search websites**

37. You would have been issued with a Personal Housing Plan (PHP) when you approached our service for assistance. The PHP is a live document that sets out what steps you can take to prevent homelessness and may include advice about where to look for properties to rent.

38. If you would like to move to a private sector flat, please talk to us about this as we may be able to help you with a deposit and checking that the property is appropriate and safe.

39. Islington has on-going relationships with a variety of temporary accommodation providers and the majority of our available stock comes from these providers. Procuring temporary accommodation in this way allows us to obtain 'economies of scale' and best value from these arrangements.

40. We do not do 'bespoke searches' of property websites when trying to find temporary accommodation for our clients. This is not reasonably practicable given the inefficiency of this method. For example, we would have to check each property for quality before offering it to you, and most private landlords are unwilling to afford us the time to do this. Many landlords are not willing to let their properties to local authorities or those claiming benefits. We tend to find that many properties advertised are not actually available – rather the provider is offering an 'example' property to the market to attract the prospective tenant to their service. Finally, the majority of private rented accommodation available on the open market in Islington is very expensive and beyond the budget of those claiming benefits.

**41. The Islington Choice Based Lettings flyer**

42. The properties you may have seen advertised via our Choice Based Lettings are 'final stage' social rented homes. When we accept a duty to provide you and your family with accommodation, we add you to a housing register for these homes and you be allocated re-housing points in accordance with our housing allocation scheme.

43. There are not enough of these homes to go around and most people wait several years before they can be offered one. Your temporary accommodation is where you live while you wait.

## Appendix 4

### **Islington's Accommodation Procurement Policy for Homeless Households, Private Rental Sector Offer of Accommodation Policy and Temporary Accommodation Lettings Framework: Equality and Health Analysis**

Section 1: Equality analysis details

**Proposed policy/decision/business plan to which this equality analysis relates**  
Accommodation Procurement Policy for Homeless Households, Private Rental Sector Offer of Accommodation Policy and the Temporary Accommodation Lettings Framework

#### **Equality analysis author**

Director Housing Needs and Strategy: Ian Swift

Department Homes and Neighbourhoods

Period analysis undertaken 1<sup>st</sup> April 2022 to the 31<sup>st</sup> of March 2023

Date of review March 2024

#### **Section 2: Brief description of policy/decision/business plan**

##### **1.1 Brief description of policy/decision/business plan**

This Equalities Impact Assessment (EIA) forms part of the review of the EIA assessment completed on the 1<sup>st</sup> March 2023. The initial assessment examined the impacts (individual and cumulative) of a suite of new Islington Council policies, providing the framework for the use of private rented accommodation to help meet the council's duties to homeless households.

These policies included the following:

- Private Rented Sector Offers (PRSO) Policy for homeless households – the policy sets out the council's intention to make more homeless households offers of private rented accommodation to discharge its rehousing duty to them.
- Accommodation Procurement Policy for homeless households – this explains the council's temporary accommodation needs, issues in procuring temporary accommodation and the principles the council will follow when procuring rented properties, both for temporary accommodation and private rented sector offers.
- Temporary Accommodation Lettings Framework – this sets out how households will be prioritised for properties, both for temporary accommodation and private rented sector offers, in different locations.

At the point of the initial EIA, the assessment was based on the available information prior to implementation. The policies aim to increase access to affordable and suitable accommodation that meets our Good Homes Standards. The new policies:

- remove restrictions on geographical limitations for procuring good quality homes,
- Confirm an approach to offer shared temporary accommodation for singles.

## **Legal framework**

Within this EIA assessment, the legal requirements are set out to confirm the operating parameters applicable when devising the policies. This includes the Housing Act 1996 in which local housing authorities have duties to secure suitable accommodation for homeless people with a local connection and with a priority need, as defined in the statute. Where permanent housing cannot be provided immediately, homeless households are placed in temporary accommodation. The Localism Act 2011 gave local authorities the power to discharge this main housing duty to homeless households through an offer of an assured shorthold tenancy in the private rented sector, without any requirement for applicant's prior agreement. This change effectively ended the previously direct link between Parts 6 and 7 of the Housing Act 1996 because where a suitable PRSO is made by the council, the applicant no longer has priority for social housing. Until now, the council has only offered private rented tenancies to a small number of households, and with their consent.

The Homelessness Reduction Act 2017 also places Prevention and Relief duties on local authorities which can also include the provision to secure accommodation. The 1996 Act and supporting regulations require local authorities to place homeless households in borough wherever "reasonably practicable". Location is one of the factors that must be taken into account when considering whether temporary or permanent accommodation provided to meet any of the homelessness duties is suitable. The proposed amendments will continue to comply with the relevant legislation, government guidelines and case law.

Overall these policies are intended to ensure availability of enough suitable private sector accommodation for homeless households to allow the council to meet its duties at a cost that it can sustain and which are affordable to homeless households, against the background of an increasingly difficult market, marked by rapid increases in rent costs. Temporary accommodation already costs the council over £12 million per year, at a time when, in common with other local authorities, it faces medium-term financial pressures. This means that it cannot sustain an uncontrolled increase in costs. The policies will have the effect of off-setting the impact of continuing high numbers of homeless households presenting to the council and the loss of social rented supply.

Modelling suggests that without the policies the cost of temporary accommodation could increase by a further £500,000 in 2023/24. The policies are also intended to provide more certain and sustainable outcomes for homeless households, enabling them to secure suitable private rented housing more quickly rather than waiting in temporary accommodation for many years (and often subject to multiple moves over this time) until a social home becomes available. For other households, this approach will help free up resources that can be used to help prevent homelessness

from arising in the first place – the approach being given increased priority locally, regionally and nationally.

**Details of each of the policies is given below:**

### **Private rented sector offers (PRSO) policy**

The private rented sector offers policy is needed to set out clearly and transparently how the council will use its powers under the Localism Act. The policy sets out council's policy intention to make more private rented sector offers to homeless households, where the law allows it. Homeless households might either be offered a private rented tenancy as soon as they are accepted as homeless or from their temporary accommodation – meaning they will spend less time in temporary accommodation. This will help to contain temporary accommodation costs which are described above.

Another of the policy's objectives is to help improve outcomes for homeless households. Currently, they can wait for more than 3 years in temporary accommodation for social rented housing (these waits tend to be longest for households requiring two or more bedrooms). Households often have to move a number of times within temporary accommodation. The nature of temporary accommodation therefore means it can be difficult for households to settle in an area, establish local links and get on with their lives. The policy (which will be backed by a package of support for the households concerned) is intended to help ensure that the offer of a private tenancy will mean that households can move into more settled accommodation that is affordable to them more quickly, enabling them to settle in a neighbourhood, engage with local services and opportunities and plan their futures with more certainty.

The current long waits in temporary accommodation are due to a significant mismatch between the supply of social housing and demand for it, at the beginning of March 2023, there are over 15,600 households on the housing register for social housing with around 976 of these being homeless households in temporary accommodation. Only around 1,000 social rented housing units became available last year in Islington and the nature of the social housing stock available is that a proportion of this is comprised of one bedroom units, while the great majority of homeless households (84%) require two bedrooms or more.

The council seeks to maximise provision of new affordable housing in the borough, including through its ambitious new build development programme, but the scarcity and cost of sites in Islington restricts its ability to meet increasing demand in this way.

These supply and demand factors are unlikely to improve as homeless acceptances are forecast to remain high at least in the medium term (primarily as a result of changes to the benefit system, COVID19, Brexit and poverty).

Social rented supply is also likely to reduce, at least in the short term, due to a number of national policies mainly imposed by the Housing and Planning Act 2016, such as the extension of right to buy to housing association tenants

## **Accommodation Procurement Policy**

This policy is needed to provide an action plan for procuring enough accommodation both for PRSO and for temporary accommodation and to meet housing needs for temporary accommodation and to meet housing needs for homeless households. It is also needed to set out the principles the council will follow when procuring properties. Having such clear key principles is needed because although the council will, wherever possible, seek to acquire affordable accommodation within Islington and in neighbouring boroughs, this is becoming increasingly difficult, due to the lack of properties within benefit levels and subsidy thresholds.

A key principle for the procurement of temporary accommodation is that it is affordable to the council within relevant subsidy levels, in order to help to contain temporary accommodation costs and to prevent them from rising excessively.

Another key principle is that rents need to be affordable to low income people within benefit levels as otherwise it will not be sustainable to them in the long term. Both of these considerations are likely to become increasingly pressing if private sector rents continue to rise and the tendency for landlords to let to more affluent tenants continues. They are likely to be further exacerbated by the introduction of Universal Credit which has now been fully rolled out across Islington.

The policy also sets out other factors which will determine where properties are procured – these are needed to ensure the locations are suitable for homeless households and have health, social and employment opportunities.

## **Temporary Accommodation Lettings Framework**

This policy is designed to complement the Accommodation Procurement and PRSO policies and is needed as the amount of housing available for temporary accommodation (and for private rented sector offers) in Islington and Greater London is likely to continue to decline while costs are likely to continue to increase. Although, as set out above, the council aims to place households in or as close to Islington as possible, where sufficient affordable accommodation is not available, it will have to seek alternative accommodation further afield.

The council therefore needs to prioritise households for properties in different locations in ways that take account of their needs. The particular focus of the policy is to prioritise allocation of accommodation in or near Islington to households with the greatest need to be housed there. These locations are grouped in bands:

- Band 1: Islington and adjacent boroughs
- Band 2: Greater London
- Band 3: Further afield.

The priority categories are designed to apply to those with compelling needs to be accommodated close to Islington or within Greater London. The needs of children and disabled people and by extension those who care for them are a particular focus of the priority categories.

Alongside this, some priority is given to working households. The council will also consider individual compelling claims to be entitled to locational priority which do not fit into the defined categories, on their own merits. Further, any offer of accommodation under the homelessness legislation is subject to an individual suitability assessment. These factors provide a safety net which allows for the consideration, for example, of cultural reasons for a particular placement which may affect certain ethnic minority households.

### **Proposed changes**

The general trend of increasing number of homeless approaches to the council has been further exasperated as a result of the Covid-19 pandemic. The proposed changes have been suggested in order to meet the needs of our residents while also reducing financial expenditure.

**Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).**

Potential impacts (positive and negative) of proposed policy/decision/business plan

Potential health impacts (positive and negative)

There are some age ranges of the lead household member makes up the majority of homeless approaches and would therefore be subject to the be affected by changes to the policy.

Previously we had reported the age range of applicants making an approach consisted of households aged between 25-44. There is no significant change in this proportion of approaches.

Conversely, those aged over 65 are under-represented and so less likely to be directly affected. Households with children (or expecting a first child) are disproportionately represented among accepted homeless households (85%).

The proposed changes will positively benefit single residents aged between 18-35, as they will have greater access to a supply of accommodation that the council can offer. Conversely the council will be exercising the discharge of duty ability across all age ranges through the offer of one suitable offer.

### **Age - Children**

The EIA identifies children will potentially be negatively affected if they need to move outside of Islington London. This is due to the potential requirement to start new schools, which can be disruptive particularly if they are at key exam stages. The policy and legislation however requires children taking exams not to be placed where this would affect their ability to attend schools. This also includes those attending specialist schools.

### **Age – Older people**

Older people eligible for sheltered housing will not usually be made private rented offers. However older people could be offered temporary accommodation outside

Islington and London until this type of housing is available (although generally waits are much shorter). They may potentially be negatively impacted by this, if they have long established links to the local area and also as they are more likely to receive care and support packages which would need to be transferred.

Also they may be more likely to receive informal support, possibly from family members, which might be harder to sustain at a distance. The data shows that people in these age groups are significantly under-represented among homeless people however.

It is anticipated the good homes standard will have a positive impact upon households across all age groups as they will be able to benefit from a better standard of property.

## **Mitigating actions to be taken**

### **Age – Children**

Some children and families will be prioritised for in borough/adjacent borough accommodation, including:

- Households where at least one of the children has a Statement of Special Educational Needs or an Education, Health and Care Plan, is receiving education or educational support in Islington and where it is demonstrated that a placement would be significantly detrimental to their well-being
- Households with a child where Islington Family Services has demonstrated serious concerns about the child and is working with them intensively
- Households where there is a recommendation through a joint assessment with Children's and Adult's Services
- Households which include a registered Islington Council approved foster carer who is fostering a Islington looked after child
- Households which (a) include a Islington Council approved person who is caring for a Islington looked after child, (b) include a Islington child that is subject to a Islington Special Guardianship Order or (c) have a private fostering arrangement with a carer resident in Islington where they have notified the council.

Some children and families will be prioritised for accommodation in Greater London, where a child is at their final year of Key Stage 4 (generally Year 11) or in Key Stage 5 (A levels or equivalent Level 3 vocational courses, such as BTECs, or GCSE re-sits in English and Maths) at a school or further education college in London.

Any special circumstances demonstrating a compelling need for accommodation in a certain area will be considered and this might particularly benefit children.

Resettlement support will be offered for some private rented offers. This could include help to enrol children in new schools and to find nursery places.

Support will also be offered to households moving into temporary accommodation outside London and as above this could include help to enrol children in local schools and to find nursery places.



## **Age – Older people**

Some older households will be exempt from private rented sector offers i.e. those that are eligible for sheltered housing and disabled households needing wheelchair accessible housing.

The focus on procuring properties and with good transport connections to Islington, where possible, will help people in temporary accommodation maintain their location connections and this might be particularly important for older people.

Support will also be offered to households moving into temporary accommodation outside London and this could involve help to transfer any care and support packages.

All residents placed in temporary accommodation or placed in private accommodation provided by the council will have a suitability assessment completed which will help to identify any of the above.

**Disability** - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Only a small proportion of accepted homeless households have members needing a wheel chair adapted property or a level access property.

Overall, less than 1% of homeless households have members with a physical disability which impacts on the type of properties needed.

During the same period, the total applicants approaching with mental health or a learning disability is similar with 1%. This data relates to the main applicant and therefore it is likely that household members could be under reported. This is also reflected in the data as the majority of the applicants with mental health or learning disability are single applicants.

It is anticipated the good homes standard will have a positive impact upon households who have a disability as they will be able to benefit from a better standard of property.

## **Mitigating actions to be taken**

We have reviewed the suitability assessment process to ensure all placements have a robust assessment completed when placed in temporary accommodation or placed in private accommodation provided by the council.

This will help to ensure any of the policy has been fully implemented and reduce unintended consequences of unsuitable placements. This must be audited at regular intervals.

The private rented sector offers policy excludes some disabled households who wouldn't be able to manage a private rented tenancy (for example, those who may

have care and support needs or a mental health condition which prevents them from managing a tenancy) and disabled households with members needing wheelchair accessible housing.

Some people with particular health problems or disabilities will be prioritised for in borough/adjacent borough accommodation, these include:

- Households where at least one member has a severe health condition or disability (including a severe mental health condition that requires intensive and specialised medical/mental health
- treatment/ aftercare that is either (a) only available in Islington or (b) where a transfer of care would create a serious risk to their safety or the sustainability of the treatment or care
- Households where at least one member is receiving support through a significant commissioned care package or package of health care options provided in Islington, where a transfer of care would create a serious risk to their safety or the sustainability of the care
- Some carers, and people being cared for, will be prioritised for in borough/adjacent borough accommodation

Resettlement support is offered to households being made private rented offers who are relocating out of London, and where needed where they are moving from Islington to another London borough. This support could include help to transfer care and support packages.

Support is also be offered to households moving into temporary accommodation outside London and as above this could include help to transfer care and support packages.

The Housing allocations scheme priorities households with physical disabilities to obtain accessible social housing. This is restricted to eligible households and therefore this will aim to meet the required need, limiting the need for a household with physical disabilities to move into private accommodation or temporary accommodation. While it is recognised the Good homes standard will generally be a positive change, there may be instances where the procurement process may involve additional amendments which would be suitable for the household. This will be processed on an individual basis.

### **Gender reassignment - The process of transitioning from one gender to another.**

The council has begun including equalities questions about the sexual orientation and gender reassignment of the lead applicant for homeless households in the homelessness application. However, applicants can decline answering these and as this was only implemented in April 2021, it is too early to analyse any data collected.

There are no specific issues from the proposed changes which are felt could discriminate or disadvantage residents whom have undergone gender reassignment other than general matters detailed elsewhere in this report, and the significant reduction in the availability of affordable in Islington.

However that being said, transgender customers may be particularly at risk of housing crisis and homelessness arising from transphobic reaction by family, neighbours and members of the local community.

It is anticipated the Good Homes standard will have a positive impact upon households whom have undergone gender re assignment as they will be able to benefit from a better standard of property.

### **Mitigating actions to be taken**

The focus on procuring properties in more urban areas, where their diversity as far as possible reflects that of Islington, might help to ensure there are facilities for transgender people, which may be more likely where the population is more diverse. In addition the focus on also procuring properties in areas with reasonable transport links to London might help transgender people in particular to continue to use local support services if there are fewer where they live.

Resettlement services provided to all residents placed into private and temporary accommodation to help link up with the relevant support. The Housing Needs and Strategy service has entered into a partnership with Stonewall Housing dedicated to provide support and advice to residents from the LGBTQ community. This will aim to promote the services and ensure any resident whom has gone through gender reassignment do not face any barriers to access social housing through the allocations scheme.

**Marriage and civil partnership** – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.

Our data shows that there are very little residents whom approach our service whom are married or have a civil partnership. Our current snapshot of data shows there are only 3% of households.

A joint income household will likely be able to have more disposable income. Therefore income assessments will take this into consideration when determining where an affordable property would be available in the private sector.

Lone parents are disproportionately affected by homelessness compared to their share of the population so are more likely to be affected by the policies.

The proposed changes to the policy are not likely to have an impact upon this specific group.

**Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection

against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

A significant number of lead applicants from accepted households are pregnant women.

A potential move outside of the borough for a pregnant mother or mother on maternity leave may impact upon services received from the health service. This will likely require services to be transferred to the new area if moved away from the area.

Additional properties identified further afield will assist in clients being offered permanent accommodation at an earlier stage and spend less time in temporary accommodation.

In assessing the amended policies, the changes have not identified any additional direct or indirect discrimination on the basis of pregnancy or maternity.

It is anticipated the good homes standard will have a positive impact upon households with a pregnant woman or a woman on maternity leave as they will be able to benefit from a better standard of property.

### **Mitigating actions to be taken**

Every offer of accommodation will consider the household's individual circumstances and suitability of the accommodation offered to meet their needs. Any special circumstances will be taken into account when making offers to households – taking into account if there is a compelling need for the accommodation to be in a particular location. Resettlement support will be offered to households being made private rented sector offers where they are relocating out of London and where needed when they are moving from Islington.

Support will also be offered to households moving into temporary accommodation outside London. The completion of a suitability form will be completed for all households whom move into temporary or private accommodation.

**Race** - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others.

A greater proportion of homeless decisions are made for ethnic minorities and therefore the policies will have a disproportionate effect on ethnic minority households.

Islington is ethnically diverse and this is reflective in the snapshot of residents in temporary accommodation with similarity to the population of Islington.

There may also be fewer cultural facilities for some ethnic groups in locations outside London, although this would very much depend on the area where the offer was made.

Poor quality information or language problems could impact negatively. English not first language – if households are allocated a private rented home they will need to receive adequate guidance to explain the rent charged and the ability to pay.

Members of gypsy and travelling communities may be reluctant to approach the Council for help due to suspicion of official organisations.

In addition to this, a lack of understanding of homelessness in gypsy and traveller communities means that this group may not be adequately planned for.

Larger properties with three, four, five or six bedrooms are often a requirement of some racial groups and lack of availability could disadvantage some families. The additional stock anticipated from procurement work further afield will be able to meet the needs of larger families.

In assessing the amended policies, the changes have not identified any additional direct or indirect discrimination on the basis of race.

It is anticipated the Good Homes standard will have a positive impact upon households across all races as they will be able to benefit from a better standard of home.

### **Mitigating actions to be taken**

Places will be identified for procuring properties, where their diversity as far as possible reflects that of Islington, focussing on more urban areas where there are likely to be more facilities and support networks.

This might particularly benefit households of different ethnic origins. Procurement of properties outside Islington/London will, wherever possible, be focussed on urban areas in the South East in areas with reasonable transport links to Islington – in order to help households maintain local connections. This might particularly benefit households of different ethnic origins.

Discharge into the private rented sector decisions will be monitored by ethnicity. As applicants move on in the process, progress is monitored through the iWorld Northgate housing system which enables a series of reports that monitor by relevant equality characteristics.

All literature, forms and other information is readily available in the languages most commonly used. The Service ensures that people from whatever ethnicity can compete on an equal basis; this includes Gypsy and traveller communities.

Translation services are made widely available. Islington has committed in the Homelessness Prevention and Rough sleeping strategy Action Plan to exploring factors behind BME households being over-represented as accepted homeless cases. With a better understanding it could be possible to improve prevention of homelessness in the first place.

The overall aim of this policy is to prevent homelessness and reduce the necessity for people to remain in inappropriate temporary accommodation. The delivery of the actions identified will have positive impact for BME, disabled and vulnerable, young

people and women, all of whom are over represented amongst those who are at risk of homelessness.

**Religion and belief** - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Homeless applicants may, for example, regularly attend a place of worship. If they are allocated a private rented sector accommodation out of the borough it may make it difficult for them to continue to attend regularly.

Whilst the detailed recording of homeless applications and housing allocations by people of different faith groups can pin point adverse trends in relation to individual faith groups, the information should be treated only as an issue for further investigation since much will depend on the respective priorities of applicants and the particular areas they are aspiring to. Therefore, close monitoring in this area is essential to identify any patterns that may arise.

Please note that religion or belief alone would not have any bearing on the ability to access services. However this could impact on a household decision to move away for the existing community.

There is no evidence of inequality taking place as a result of the council homelessness work in this area.

It is anticipated the Good Homes standard will have a positive impact upon households across all faiths as they will be able to benefit from a better standard of property.

### **Mitigating actions to be taken**

#### **Sex - A man or a woman.**

Women are disproportionately represented among lead applicants from accepted households.

Women are also more likely to be lone parents, who are disproportionately affected by homelessness in Islington.

Women are also more likely to be carers, who can be impacted by moves away from the people they are caring for, they are also more likely to be impacted if they move outside Islington and London and have to travel greater distances to maintain that care.

People with children, and lone parents (who are more likely to be women) in particular, will potentially be negatively affected if they move outside Islington and London as they are more likely to rely on local support networks for child care arrangements.

Households with children with special educational needs, where Family Services are working with them and where children are at key exam stages could be particularly affected.

Women of a working age are less likely than men of a working age to be in employment.

Women are 8 times more likely to be a victim of domestic abuse. Therefore, obtaining accommodation further afield will enable greater choice to women whom require permanent and temporary accommodation.

In assessing the amended policies, the changes have not identified any additional direct or indirect discrimination on the basis of sex.

Women are 8 times more likely to be victims of domestic abuse. Therefore they may require specific suitable temporary accommodation. The increase in the geographical area will enable the provision of more temporary accommodation available for this client group.

### **Mitigating actions to be taken**

Some carers (who are more likely to be women) will be prioritised for in borough/adjacent borough accommodation.

Resettlement support will be offered for private rented offers which are out of London, and for moves within London where they are needed and this could include help to register children in local schools.

Support will also be offered to households moving into temporary accommodation outside London and as above this could include help to enrol children in local schools and to find nursery places.

Provision of temporary accommodation for victims of domestic abuse. Suitability assessments are completed to ensure victims of domestic abuse are removed from the areas of risk.

### **Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.**

It is acknowledged that data on resident's sexual orientation has the potential to be inaccurate and on-going efforts should be made to encourage such information being given at the point of application.

While many people identify as heterosexual, many people also do not in the wider community. The Government estimates that approximately 6% of the population are gay men, lesbians or bisexuals.

Members of the LBGQTQ community may face specific barriers not currently considered, and it may be that more information about this client group is needed.

Insufficient monitoring customer engagement and feedback means that it is not possible at this time to properly evaluate with any certainty what impact the service

has and whether some customers may be disadvantaged through their sexual orientation. There is a risk albeit small, that anyone in this position could be discriminated against and this could lead to an inequality in treatment.

A survey published in 2000, National Survey of Sexual Attitudes and Lifestyles, concluded that 5-7% of the UK population were likely to be lesbian, gay and bisexual. There is no evidence to suggest that people in these categories are likely to be disproportionately represented among those presenting themselves as homeless.

Homeless household sexual orientation information is inadequate but moves outside London may impact on the support networks and services available to Lesbian, Bisexual, Gay and Transgender (LGBTQ) groups, although there is no actual evidence of this, and it would very much depend on the location of any properties offered.

ONS data (2015) indicates that areas outside London have a smaller LGBTQ population. The proportion of the LGBTQ population in London is estimated to be 2.6% compared to 1.8% in the South East and 1.2% in the East of England. There may be impacts arising from the relative lack of support and other services designed specifically for LGBTQ people in some places outside London, but again this would very much depend on the area where the offer was made.

In assessing the policies, the changes have not identified any additional direct or indirect discrimination on the basis of sexual orientation.

It is anticipated the Good Homes standard will have a positive impact upon households across all groups as they will be able to benefit from a better standard of property.

### **Mitigating actions to be taken**

The focus on procuring properties in more urban areas, where their diversity as far as possible reflects that of Islington, might help to ensure there are facilities for people of different sexual orientations, which might be more likely where the population is more diverse. In addition the focus on also procuring properties in areas with reasonable transport links to London might help people of different sexual orientations to continue to use support services, if there are fewer where they live

The Housing Needs and Strategy service responsible for the administration of the policies, have partnered with Stonewall Housing. This will help to continually examine the practices of the policy ensuring residents from the LGBTQ community are represented. Ensuring there is access to households from this group to access the service Stonewall Housing will focus on advice and advocacy including viewings, applying for benefits, referring to other agencies for assistance. In addition to the above, Stonewall Housing will focus upon wider community and outreach work.

It is acknowledged there is not an over representation of homeless approaches from the LGBTQ community and greater work must be completed to prevent homelessness. The Housing Needs and Strategy services will employ resettlement



officers to provide a customer care to all households placed out of the borough to ensure households have someone to contact regarding any issues.

Monitoring of this sector will enable specific issues for different segments of the population to be identified and addressed.

### **Human Rights**

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol.

There are no anticipated negative impacts on Human Rights as a result of these policies.

### **Mitigating actions to be taken**

None at this point. Will be reviewed as appropriate.

### **Further actions and objectives**

- Ensure regular scheduled reviews and analysis of data is recorded.
- Improve our customer insight through focus group involvement and improved data collection.
- Develop appropriate early intervention and prevention measures to address any over representation.
- Develop improved understanding of why some BAME communities are disproportionately represented within homelessness services together with the development of appropriate early intervention and prevention measures to address this over representation
- Affects of the National Covid 19 pandemic on BAME, needs particular research and action in Islington, through close monitoring and work with public health.
- Ensuring households with mental health issues are able to successfully sustain a private tenancy. Resettlement service to ensure 12 month tenancy review are completed.

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Homes and Neighbourhoods  
Housing Property services  
Islington Town Hall  
N1 2UD

Report of: Executive Member for Homes and Communities

Meeting of: Executive

Date: 20 July 2023

Ward(s): Arsenal and Bunhill

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**The appendix to this report is exempt and not for publication**

## **Subject: Contact Award for Lift Renewals at Harvist Estate and St Luke's Estate**

### **1. Synopsis**

- 1.1. This report seeks approval to enter into a contract with a single contractor in respect of Lift Renewals at Harvist Estate and St Luke's Estate. This report details the process undertaken and the outcome of the procurement process.

### **2. Recommendation**

- 2.1. To approve the award of the contract for Lift Renewals at Harvist Estate and St Luke's Estate to Amalgamated Lifts Limited, for the sum of £5,169,906

### **3. Background**

#### **3.1. Nature of the service**

- 3.1.1. The proposed work involves the modernisation of eight existing passenger lifts on the Harvist Estate and eight existing passenger lifts on the St Luke's Estate. This contract is necessary in order to be able to comply with the council's obligation to repair, maintain and improve the main structure, common parts and communal services to our buildings.

3.1.2. The economic life of the lifts has expired with breakdowns increasing and parts are becoming redundant as they are no longer supported by the manufacturer. Now that the lifts are over 30 years old, they require modernisation as part of the cyclical lift replacement programme using guidance provided by Chartered Institution of Building Services Engineers (CIBSE) Guide D (Transportation systems in buildings). Market analysis has told us that maintaining the current lifts would be more expensive than replacing them as parts become obsolete. Therefore, it would be advisable to replace all the lifts rather than individual parts as they break down.

3.1.3. For the above reasons, a procurement strategy report was agreed by the council Executive on 13 October 2022 approving a procurement exercise to secure a contract with a suitably qualified contractor to complete the refurbishment of these lifts. The procurement exercise as set out in the procurement strategy has now been completed and approval is now sought to issue the contract to the successful contractor.

### 3.2. **Tendered value**

3.2.1. Harvist Estate: The tendered total cost for the proposed works at the Harvist Estate will be £3,400,656.

3.2.2. St Luke's Estate: The total tendered cost for the proposed works at the St Luke's Estate will be £1,769,250.

3.2.3. By completing both estates as one, project time, costs and resources will be saved as there will be only one contractor to manage; and as the project is large, better value for money will be achievable.

### 3.3. **Timetable**

3.3.1. In line with council procedures and in accordance with the requirements of Section 20 of the Landlord and Tenant Act 1985, the council leaseholders were consulted on the intention to carry out the work by letter and the Notice of Intent consultation period expired on 20 January 2023. A second Notice of Estimate letter was issued on 13 April 2023, after the completion of the procurement exercise. Leaseholder consultation meetings took place on 18 April 2023 for the St Luke's Estate and on 19 April 2023 for the Harvist Estate.

3.3.2. The Section 20 Notice of Estimate consultation period expired on 15 May 2023 all observations were resolved from consultation.

3.3.3. Work will be scheduled to start on site in November 2023. This gives the contractor a lead in time of approximately 15 weeks after the contracts have been signed.

- Harvist Estate: The project is expected to take 45 months to complete which includes a 12-month defects and liability period.
- St Luke's Estate: The project is expected to take 30 months to complete which includes a 12-month defects and liability period.

#### 3.4. **Options appraisal (Procurement)**

3.4.1. Four options were considered:

1. To deliver the works in-house.
2. To procure a standalone Islington Council contract as a two-stage advertised tender.
3. To procure using the Camden Local Authority framework agreement.
4. To procure through an existing framework agreement provided by South East Consortium.

3.4.2. The procurement strategy outlined the benefits and drawbacks of each option, and the recommended option was run a mini-competition between the suppliers on the South East Consortium framework agreement.

#### 3.5. **Key Considerations**

3.5.1. Delivering Social Value to Islington residents will be a contractual obligation for the successful contractor. Performance in relation to social value will be monitored at regular contract meetings.

3.5.2. The following Social Value pledges will be delivered as a direct result of winning this contract:

- A young person from the London Borough of Islington to join the business and be enrolled on their apprenticeship scheme.
- Five hours of staff time speaking to local school and colleges.
- To gift 0.5% of the total contract sum as a charitable donation to a local charity initiative within the borough of Islington.
- 20 hours of volunteering with environment conservation projects.
- Five hours of staff time speaking to local small and medium-sized enterprises.

- 3.5.3. As part of this contract, a pledge was made to reduce CO2 emissions on the contract achieved through de-carbonisation.
- 3.5.4. A commitment to use new vans that have the lowest CO2 emissions for travelling in and out of the London ultra low emission zone, or the use of hybrid and electric vehicles, in an attempt to reduce pollution outputs.
- 3.5.5. The project will have a positive impact on all residents on both estates. The modernised lifts will deliver improved reliability. It will also have a positive impact especially for those with specific access requirements such as wheelchair users, mobility impairments and elderly residents.
- 3.5.6. The project will also benefit the local economy as operatives will be utilising local businesses for hospitality while on site.
- 3.5.7. While there is not a dedicated lift supplier in Islington there is the potential of using local supply chains in the borough for basic materials.
- 3.5.8. A requirement for the payment of London Living Wage will be included as a condition of this contract. The current market pays above London Living Wage for lift engineers.
- 3.5.9. BREEAM (Building Research Establishment Environmental Assessment Method) is an internationally recognized green building rating system developed by Building Research Establishment (BRE). The contractor will be required to cut on-site energy consumption and building carbon footprint with an in-depth analysis of lift usage and the energy consumption and potential carbon footprint reduction of lifts operational lifespan. The contractor will be required to meet BREEAM prerequisites and supply solutions that contribute to achieving BREEAM credits.
- 3.5.10. TUPE will not apply to this contract.

### 3.6. **Evaluation**

- 3.6.1. South East Consortium conducted a mini-competition via the Lifts Framework – Lot 2 -Passenger Lifts Installations on behalf of Islington Council using the council's specification, method statement questions and pricing document specific for the works to be procured.
- 3.6.2. The mini-competition was evaluated against the following award criteria:  
50% cost and 50% quality (including 20% Social Value)

Quality sub-criteria:

- What Social Value initiatives will you deliver to improve the economic, social, and environmental wellbeing of Islington Residents (20%)
- Proposed approach to resourcing, mobilisation and delivery of the contract (10%)
- Proposed approach to customer services (10%)
- Proposed approach to quality management (5%)
- Proposed approach to health and safety (5%)

The recommendation is to award the contract to the bidder who achieved the highest combined score for cost and quality. The recommended bidder scored 45.95% for cost and 40% for quality, overall combined score 85.95%.

### 3.7. **Business risks**

3.7.1. Many residents and their visitors are reliant on lifts to access their properties and the wider community. Failure to keep the lifts in good working order due to their age would result in vulnerable residents being unable to leave or access their homes or the essential services they require.

3.7.2. There are significant reputational risks if our lifts are breaking down due to their age. Leaseholders pay service charges for lifts and expect them to be constantly operational.

3.7.3. For the duration of the contract, risks will be managed using the following measures:

- Robust Risk Assessment Method Statements (RAMS).
- Carrying out regular progress meetings with the contractor appointed to do the work.
- Regular communication updates to residents affected by the work to ensure they are aware of ongoing progress or any delays which may arise.
- Managing resources against the contractors' program of works.

3.8. The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

## 4. Implications

### 4.1. Financial Implications

4.1.1. This report is to award a contract for capital works to renew lift facilities at the Harvist Estate and the St Luke's Estate. The expected cost of the proposed works is £5.170m which will begin in 2023/24 and continue until 2026/27. The budget set out in the table below has been set through the 2023/24 budget setting process for the HRA Major Works Programme. There is a specific budget for lift works at the Harvist Estate (YHH1845) and St Luke's Estates (YHH1846) of £3.050m as laid out in the table below.

Cost Centre	Scheme Title	Budget approved at budget setting 23-24			
		2023/24	2024/25	2025/26	Total
YHH1845	Harvist Estate	175,000	675,000	500,000	1,350,000
YHH1846	St Luke's Estate Lifts	250,000	650,000	800,000	1,700,000
YHP0805	Lift resources (18-19)		357,441		357,441
YHP0862	Skip / Stop Resources	370,000	350,000		720,000
<b>Total Budget</b>		<b>795,000</b>	<b>2,032,441</b>	<b>1,300,000</b>	<b>4,127,441</b>

4.1.2. This means that there is an additional requirement or growth of £2.120m. Some of this budget pressure could be met from the wider HRA major works (Lifts) capital budget (YHP0805 and YHP0862) which totals £1.077m, leaving a balancing pressure of £1.043m which will need to be funded. It should be noted that accommodating this net growth of £1.043m will require other schemes to be curtailed/delayed or stopped.

Fees associated with the capitalisation of Property Services salaries are likely to be accommodated within the capital salaries budget.

Appendix A sets out the works cost by each element.

### 4.2. Legal Implications

4.2.1. The council is responsible for undertaking the repair, maintenance and improvement of its housing properties and installations therein (Part 2 of the Housing Act 1985 and section 111 of the Local Government Act 1972). The Council has power to enter into such contracts under section 1 of the Local Government (Contracts) Act 1997.



- 4.2.2. The proposed contract is a contract for works which is below the threshold of £5,336,937 for application of the Public Contracts Regulations 2015 (the Regulations). The council's Procurement Rules require contracts of this value to be subject to competitive tender. The contract has been procured by way of a mini-competition under the South East Consortium (SEC) Framework for Passengers Lift installations which is in compliance with the principles underpinning the Regulations and the council's Procurement Rules.
- 4.2.3. On completion of the mini-competition evaluation, Amalgamated Lifts Limited achieved the highest combined score for cost and quality, Accordingly, the contract may be awarded to Amalgamated Lifts Limited subject to the tender providing value for money for the council and that funding is secured as detailed in the Financial Implications.
- 4.2.4. The proposed contract is for a period in excess of 12 months and is therefore a qualifying long-term agreement under section 20 of the Landlord and Tenant Act 1985. As stated in the report, the council has complied with the leaseholder consultation requirements applicable to long term qualifying agreements set out in the Service Charges (Consultation Requirements) (England) Regulations 2003 (as amended)..
- 4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**
- 4.3.1. Environmental Implications where reviewed and accepted by the Energy Services team on 12 July 2022 and a summary was documented in the procurement strategy.
- 4.4. **Equalities Impact Assessment**
- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment was completed on 25 July 2023. The main findings were:

The works will mean that lifts are temporarily out of service, this may be of inconvenience to some residents, for example the elderly, disabled, or residents with young children. However, prior to works, consultation with residents and members will be undertaken at least six months before the project is due start, and throughout the project, to identify and arrange alternative arrangements for vulnerable residents as so far is reasonably practicable. The resident steering group will play a key role in supporting this consultation. In exceptional circumstances this may entail a temporary decant while service is interrupted. However, in the longer term, the works will improve the reliability of the affected lifts. This project therefore has both positive and negative impacts, with the positive outweighing the short-term negative impacts.

## 5. Conclusion and reasons for the recommendation

- 5.1. Following the mini-competition exercise, the scores from the cost and quality criteria were combined and the winning submission was from Amalgamated Lifts Limited.
- 5.2. This tender was evaluated to be the most economically advantageous and the recommendation is for this company to be appointed to undertake the works.
- 5.3. It is recommended that the contract award for lift renewals at the Harvist Estate and St Luke's Estate is approved to ensure the compliance of the lifts, increase their availability and reduce maintenance shutdowns.

### **Appendices:**

- Summary and scores from the mini-competition. This appendix is exempt.
- Equalities Impact Assessment

### **Background papers:**

- None

### **Final report clearance:**

Authorised by:

Executive Member for Homes and Communities

Date: 10 July 2023

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# Full Assessment

Before completing this form you should have completed an Equalities Screening Tool and had sign off from your Head of Service and the Fairness and Equality Team.

This Equality Impact Assessment should be completed where the Screening Tool identifies a potentially negative impact on one or more specific groups but it can also be used to highlight positive impacts.

## Summary of proposal

Name of proposal	Lift Renewals at Harvist Estate and St Luke's Estate
Reference number (if applicable)	2122-0322 Procurement reference number
Service Area	Homes and Neighbourhoods
Date assessment completed	25/07/2022

Before completing the EQIA please read the guidance and FAQs. For further help and advice please contact [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk).

# 1. Please provide a summary of the proposal.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

## **Current Lifts**

The works at both estates are required as part of the lift replacement cycle as the lifts are over 30 years old. Due to the age of the lifts, the breakdowns have increased and parts have become obsolete making it harder to repair the current lifts.

The lifts do not currently comply with the latest lift regulations, nor do they comply with The Equality Act 2010.

## **Harvist Estate**

The Harvist estate consists of 4 high-rise tower blocks, the blocks are 19 storeys high with 2 lifts in each block:

- Talbot House has 2 lifts serving G-17 Odd floors and G-18 Even floors.
- Citizen House has 2 lifts serving G-17 Odd floors and G-18 Even floors.
- Hind House has 2 lifts serving G-17 Odd floors and G-18 Even floors.
- Lillingston House has 2 lifts serving G-17 Odd floors and G-18 Even floors.
- Approximately 432 residents will be affected by the lift improvement.
- The project is expected to take approximately 45 months to complete.

## **St Luke's Estate**

St Luke's Estate consists of 4 blocks, 3 of these are mid-rise and 1 is a high-rise. All four blocks contain 2 lifts under duplex control:

- Godfrey House has 2 lifts, both lifts serve 11 floors G-19 (odd floors only).
- Bath Court has 2 lifts, both lifts serve 8 floors G – 8 (G,1,2,4,6,8).
- Paterson Court has 2 lifts, both lifts serve 8 floors G – 8 (G,1,2,4,6,8).
- Newland Court has 2 lifts, both lifts serve 8 floors G – 8 (G,2,4,6,8).

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

- Approximately 369 residents will be affected by the lift improvement.
- The project is expected to take approximately 30 months to complete.

Resident complaints have increased, and there have been enquires as to when the lifts will be replaced so that they are more reliable and accessible for all residents.

The objective of replacing the lifts is to keep the breakdowns to a minimum and increase the service life of the lifts so that the residents aren't adversely affected when the lifts are out of service for prolonged periods of time due to parts being obsolete and difficult to sourcing.

## **Proposal**

### **Harvist Estate**

- Renew and modernise the 8 lifts on the Harvist estate.
- The works will be compliant with current regulations, which includes The Equality Act 2010.
- Included in the works will be new lift machine, controller, lift car, landing entrances and a full rewire.
- The added inclusion of the lifts stopping at all floors and being duplexed, subject to structural report.
- The current 2 lifts stop at odd and even floors.

Cost will be approximately £3,080,000.

### **St Luke's Estate**

- Renew and modernise the 8 lifts on the St Luke's estate.
- The works will be compliant with current regulations, which includes The Equality Act 2010.
- Included in the works will be new lift machine, controller, lift car, landing entrances and a full rewire.
- Cost will be approximately £1,700,000.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

## **Benefits**

### **Harvist Estate**

- Lifts stopping at all floors and being duplexed. This will reduce waiting times for a lift, as both lifts will serve all floors and the nearest lift will be assigned to collect the landing call based on its position.
- If one of the lifts was to go out of service after the lift renewals, then there will always be the other lift serving all floors for the resident to use.
- The new lifts will be energy efficient and will have a lower energy consumption than the lifts that are currently in service, this will reduce the cost to run the lift.
- The new lifts will be more reliable and accessible to all and compliant with The Equality Act 2010 (as per the Lift Regulations). The long-term positive impact will outweigh the temporary negative impact whilst the works take place.

The cost of continuing to repair the lifts over the next 5 years will end up costing more. Over that same period the lift could also be out of service due to breakdowns for a longer period of time than the proposed time for the lift renewal.



Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

### **St Luke's Estate**

- The new lifts will be energy efficient and will have a lower energy consumption than the lifts that are currently in service, this will reduce the cost to run the lift.
- The new lifts will be more reliable and accessible to all and compliant with The Equality Act 2010 (as per the Lift Regulations). The long-term positive impact will outweigh the temporary negative impact whilst the works take place.

The cost of continuing to repair the lifts over the next 5 years will end up costing more. Over that same period the lift could also be out of service due to breakdowns for a longer period of time than the proposed time for the lift renewal.

## 2. What impact will this change have on different groups of people?

Please consider:

- Whether the impact will predominantly be external or internal, or both?
- Who will be impacted – residents, service users, local communities, staff, or others?
- Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?

### **Harvist Estate**

- One lift will be left in service while works are undertaken, for residents living on a floor without the lift stopping will need to walk up or down one flight of stairs
- After the first lift is completed there will not be any access issues as the new lift will now serve all floors.
- The winning contractor will take over the servicing of the second lift and will be on standby during the day if the second lift was to breakdown. The engineers on site will attend the breakdown to fix the lift, if the breakdown is out of hours the call out engineer will attend within 1 Hour to fix the lift.
- This will have the greatest impact on residents in the age, disability and maternity / pregnancy groups the most, as to access the lift they may need to navigate one flight of stairs.
- There will be meetings on a monthly basis that will address any issues that have arisen from the lift being out of service.

Please consider:

- Whether the impact will predominantly be external or internal, or both?
  - Who will be impacted – residents, service users, local communities, staff, or others?
  - Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?
- There will also be a dedicated project liaison officer to aid residents, they will engage with the Tenants Management Association and keep them updated throughout the project at meetings.

### **St Lukes Estate**

- There will be a low negative impact to residents whilst the work takes place as there are currently 2 lifts in each block that serve the same number of floors, only one lift will be out of service at a time.
- The winning contractor will take over the servicing of the second lift and will be on standby during the day if the second lift was to breakdown. The engineers on site will attend the breakdown to fix the lift, if the breakdown is out of hours the call out engineer will attend within 1 Hour to fix the lift.
- This will impact all residents as they will have only the use of 1 lift and waiting times maybe affected.

Please consider:

- Whether the impact will predominantly be external or internal, or both?
- Who will be impacted – residents, service users, local communities, staff, or others?
- Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?

### 3. What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

This section of the assessment looks in detail at the likely impacts of the proposed changes on different sections of our diverse community.

#### 3A. What data have you used to assess impacts?

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

#### **Targeted Tenant Services**

- It was recommended to consult the residents at least 6 months prior to the project as this was a lesson learned from a previous project, not enough time was given to this process. The residents are yet to be consulted; this will take place closer to the start of the project.

#### **Lift Repairs and Maintenance Department**

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

- The historic repair data has been reviewed for the breakdown history of the lifts. From this data it has been concluded that the lifts are breaking down more frequently and are taking longer to repair this is causing a negative impact to all residents.

### **The Tenants Management Association**

- Resident have made enquires as to when the lifts will be replaced because the current lifts are unreliable. The residents, especially elderly or disabled, are worried that if they do go out, they will not be able to access their flats when they return if the lift is out of service, and so feel trapped.

### **Democratic Services**

- Democratic Services will be contacted closer to the start date for the data on the demographics of residents who live on the estates that will be affected.

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

3B: Assess the impacts on people with protected characteristics and from disadvantaged groups in the table below.

Please first select whether the potential impact is positive, neutral, or negative and then provide details of the impacts and any mitigations or positive actions you will put in place.

Please use the following definitions as a guide:

Neutral – The proposal has no impact on people with the identified protected characteristics

Positive – The proposal has a beneficial and desirable impact on people with the identified protected characteristics

Negative – The proposal has a negative and undesirable impact on people with the identified protected characteristics

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Age	Positive and Negative	There will be short-term negative impact on elderly people while the lift is out of service. However, in the long term a positive impact, as there will be a more reliable lift that will be in service more regularly.	A more reliable lift that complies with The Equality Act, with better lighting, voice annunciation and an emergency communication system if the resident were to get stuck in the lift.

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Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Age	Negative	At the Harvist Estate while 1 lift is out of service due to works and the other lift only serving alternate floors.	Temporary rest locations with chairs will be provided for residents to use on intermediate floors.
Disability (include carers)	Positive and Negative	There will be short-term negative impact on residents with disabilities while the lift is out of service. However, in the long term, a positive impact as there will be a more reliable lift that will be in service more regularly and that is compliant with The Equality Act 2010.	The current lifts are over 30 years old and do not comply with The Equality Act 2010, so by doing nothing this will have a long term negative impact on residents.  These negative impacts will only be mitigated by installing a new compliant lift.



Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Disability	Negative	At the Harvist Estate while 1 lift is out of service due to works and the other lift only serving alternate floors.	In exceptional circumstances this may entail a temporary decant. Targeted tenant services will be contacted about accessibility needs and the lift with the least negative impact.
Race or ethnicity	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Religion or belief (include no faith)	Neutral		
Gender and gender reassignment (male, female, or non-binary)	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Maternity or pregnancy	Positive and Negative	There will be short-term negative impact on residents that are pregnant or have small children whilst the works are ongoing, but in the long term a positive impact as there will be a more reliable lift that will be in service more regularly.	The current lifts are over 30 years old and regularly breakdown, by doing nothing this will have a long term negative impact on all residents.
Maternity or pregnancy	Negative	At the Harvist Estate while 1 lift is out of service due to works and the other lift only serving alternate floors.	Temporary rest locations with chairs will be provided for residents to use on intermediate floors.

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Sex and sexual orientation	Neutral		
Marriage or civil partnership	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Other Age (e.g. elderly) (e.g. people living in poverty, looked after children, people who are homeless or refugees)	Neutral		

## 4. How do you plan to mitigate negative impacts?

Please provide:

- An outline of actions and the expected outcomes
- Any governance and funding which will support these actions if relevant

### **Havist Estate**

- The works will mean that lifts are temporarily out of service, this may be of inconvenience to some residents, for example the elderly, disabled, or residents with young children. However, prior to works, consultation with residents and housing management at least six months before the project starts will be undertaken and alternative arrangements for vulnerable residents will be considered. In exceptional circumstances this may entail a temporary decant while service is interrupted. However, in the longer term, the works will improve the reliability of the affected lifts. This project therefore has both positive and negative impacts, with the positive outweighing the short-term negative impacts.
- On the Havist Estate there are 4 blocks, 2 lifts in each block. One lift serves odd floors and the other lift even floors over 19 floors.
- Only one lift will be out of service in each block at a time during the refurbishment.
- On completion of the first lift, the new lift will now serve all floors and will be in full compliance of The Equality Act 2010 so there will be no accessibility issues on the second phase of the lift project.
- The winning contractor will take over the servicing of the second lift and will be on standby during the day if the second lift was to breakdown the engineers on site will attend the breakdown to fix the lift if out of hours the call out engineer will attend with in 1 Hour to fix the lift.

Please provide:

- An outline of actions and the expected outcomes
  - Any governance and funding which will support these actions if relevant
- With the aid of Targeted Tenant Services residents with accessibility needs will be consulted and the lift with the least negative impact will be started first.
  - The appointed lift contractor is to employ their own Resident Liaison Officer who will be solely responsible for all communications with residents following the Council's policy and procedures. This will include helping residents with shopping and pushchairs whilst the lift is not accessible in using the stairs.
  - Noisy works can only take place between 10:00 and 16:00 as terms and conditions of the contract specification.
  - There will be a considerable amount of noise whilst the lift entrances are cut out that will cause disruption to residents, this will be communicated to the residents and the time noisy works can take place may be altered to mitigate this disruption.
  - Dust will be kept to a minimum and controlled on site as each lift entrance will have a hoarding around them to stop the transfer of dust into communal areas.
  - It is proposed that an extraction system will be used in the lift shaft to remove the dust from the shaft whilst the new entrances are being cut out.
  - Temporary rest locations with chairs will be provided for residents to use on intermediate floors so that when the lift is out of service due to the lift renewal, they can rest while accessing and egressing the blocks when using the stairs.

Please provide:

- An outline of actions and the expected outcomes
- Any governance and funding which will support these actions if relevant

### **St Luke's Estate**

- The works will mean that lifts are temporarily out of service, and this may be of inconvenience to some residents, for example the elderly, disabled, or residents with young children. However, prior to works, consultation with residents and housing management at least six months before the project starts will be undertaken and alternative arrangements for vulnerable residents will be considered. In exceptional circumstances this may entail a temporary decant while service is interrupted. However, in the longer term, the works will improve the reliability of the affected lifts. This project therefore has both positive and negative impacts, with the positive outweighing the short-term negative impacts.
- Dust will be kept to a minimum and controlled on site as each lift entrance will have a hoarding around them to stop the transfer of dust into communal areas.
- The winning contractor will take over the servicing of the second lift and will be on standby during the day if the second lift was to breakdown the engineers on site will attend the breakdown to fix the lift if out of hours the call out engineer will attend with in 1 Hour to fix the lift.



## 5. Please provide details of your consultation and/or engagement plans.

Please provide:

- Details of what steps you have taken or plan to take to consult or engage the whole community or specific groups affected by the proposal
- Who has been or will be consulted or engaged with
- Methods used or that will be used to engage or consult
- Key findings or feedback (if completed)

- Once procurement of works progress residents will be updated on the proposed works and the proposed prestart and throughout the duration of the project via letter drops. A monthly newsletter will also be provided once works begin on site to ensure residents are kept updated on progress and a resident steering group will be set up to ensure there is direct engagement with residents throughout the works.
- All newsletters will go through Islington's communications team. If there is a requirement for the letter to be translated residents are required to contact the team and a translation will also be supplied.
- Project progress information will be displayed on the LCD Screens located on the ground floor lobby of each block. These will be updated with information about the ongoing lifts works.
- All resident groups and council staff are to be kept informed on project timelines and the impact to residents caused by the works which will include dust and noise.
- Democratic Services will be contacted closer to the start date for the data on the demographics of residents who live on the estates that will be affected.

Please provide:

- Details of what steps you have taken or plan to take to consult or engage the whole community or specific groups affected by the proposal
- Who has been or will be consulted or engaged with
- Methods used or that will be used to engage or consult
- Key findings or feedback (if completed)

- Resident will be made aware of any additional parking restrictions due to contractor's welfare and site office / storage facilities while the project takes place.
- All works to be carried out in compliance with Construction Design Management Regulations.

## 6. Once the proposal has been implemented, how will impacts be monitored and reviewed?

Please provide details in the table below.

Action	Responsible team or officer	Deadline
Re Housing residents if needed	Targeted Tenant Services	6 months prior start date
Data on the demographics of residents	Democratic Services	6 months prior start date
Helping residents with shopping etc	Resident Liaison Officer	During project
Communication	Estate Champions / Project Liaison officer	During project

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Please send the completed EQIA to [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk) for quality checking by the Fairness and Equality Team. All Equality Impact Assessments must be attached with any report to a decision-making board and should be made publicly available on request.

This Equality Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.

Member	Name	Signed	Date
Staff member completing this form	Crisjen Parkes	<i>CJParkes</i>	25/07/2022
Fairness and Equality Team	Imogen Resnick	Imogen Resnick	25/07/2022
Director or Head of Service	Stephen Platt	<i>St Platt</i>	27/07/2022

Homes & Neighbourhoods  
222 Upper Street, N1 1XR

Report of: Executive Member for Homes and Communities

Meeting of: Executive

Date: 20 July 2023

Wards: Finsbury Park, Tollington, Hillrise

## Subject: Designating the wards of Finsbury Park, Tollington and Hillrise for Selective Property Licensing

### 1. Synopsis

- 1.1 The Private rented sector covers around 30% of housing in Islington and rents account for about 70% of renters' gross earnings. Although many privately rented properties are perfectly satisfactory, a significant amount are not up to standard.
- 1.2 The proposed selective licensing scheme will require all private landlords in three wards to apply for a licence and to meet minimum standards with regards to the management, use and maintenance of privately rented accommodation.
- 1.3 This report contains relevant information and evidence to support extending selective property licensing to Hillrise and Tollington wards and redesignating Finsbury Park ward to recognise the ward boundary changes that came into effect in May 2022.

### 2. Recommendations

- 2.1 To note the evidence relating to problems being caused by poorly managed privately rented accommodation in Finsbury Park, Tollington and Hillrise described in the consultation document in appendix A and FAQs appendix B
- 2.2 To note the outcome of the consultation process and the consideration of the responses to representations in appendix C
- 2.3 To revoke the existing Finsbury Park selective licensing scheme.

- 2.4 To designate the wards of Finsbury Park, Tollington and Hillrise as areas subject to selective licensing. See map in Appendix D.
- 2.5 To approve the fee structure for the new scheme

## 3. Background

- 3.1 Selective licensing applies to any privately rented houses or flats in a designated area that are occupied by:
- a single person
  - two people sharing (regardless of their relationship to one another)
  - any number of persons forming a single household
- 3.2 Selective licensing enables the council to regulate private rented properties by setting standards relating to the management, use and maintenance. Licences are issued to either the landlord or person responsible for the day to day management of the property. Licence conditions include safety measures such as those relating to gas, electrical and fire safety, the provision of adequate facilities for heating, refuse and recycling facilities, as well as property maintenance and management of anti-social behaviour and security measures.
- 3.3 Selective licensing is discretionary and can be only implemented where the council is able to demonstrate that specific criteria have been met. Licensing schemes last for up to five years, after which they expire, unless they are renewed, following a further consultation process.
- 3.4 Any selective licensing scheme that covers more than 20% of a boroughs private rented sector will require approval from the Secretary of State for Levelling Up Housing and Communities. The proposed Selective Licensing Scheme covering Finsbury Park, Hillrise and Tollington wards is below the 20% threshold and therefore will not require Secretary of State approval.
- 3.5 Approximately 5400 privately rented properties will be covered by the proposed 3 three ward selective licensing scheme, including the 1800 private rented properties covered by the existing Finsbury Park licensing scheme.

## 4. Evidence Based Decision Making

- 4.1 The regulatory framework for selective licensing is contained in the Housing Act 2004 and one or more of the following conditions must be met:
- the area is, or is likely to become, an area of low housing demand

- the area is experiencing a significant and persistent problem caused by antisocial behaviour
- the area has poor property conditions
- the area has high levels of migration
- the area has high levels of deprivation
- the area has high levels of crime.

4.2 The consultation document in appendix A contains the relevant ward data for each criteria. Data analysis indicated that poor property conditions in the private rented sector support the proposal selective licensing in the 'new' wards of Finsbury Park, Tollington and Hillrise. Evidence also indicates that some of these wards also have higher than average levels of antisocial behaviour, crime and deprivation.

## 5. Redesignation Finsbury Park

5.1 The existing selective licensing scheme in Finsbury Park was introduced on 1 February 2021. The Local Government Boundary Commission for England made changes to ward boundaries in Islington which came into effect on 5 May 2022. These changes have made the existing designation of the Finsbury Park scheme both contradictory to the new ward boundaries and confusing for all concerned.

5.2 In order to address this, and to expand the scheme to other adjacent areas that meet the criteria, should the council approve the proposed selective licensing scheme, the recommended course of action will be to revoke the existing scheme for Finsbury Park and redesignate the new Finsbury Park ward. All existing selective licences will passport to the new scheme so there will be no need for landlords who have already applied and paid for a selective licence to reapply.

## 6. Consultation

6.1 The statutory consultation and residents' engagement ran for 13 weeks, ending on 27 March 2022. The consultation document is in Appendix A and consultation FAQs are in Appendix B

6.2 The consultation document and FAQs, published on our website, explained the reasons for proposing the licensing schemes, the alternative options considered and relevant supporting evidence. The consultation was promoted via press release, social media, Islington Life and the Residents E- Bulletin. Letters and emails were sent to all landlords, managing and letting agents known to be operating in the borough to encourage them to submit their views. All organisations representing landlords, managing and lettings agents were provided details of the proposals. Three drop-in sessions were held for landlords, agents and tenants to seek more information and to express their views in person. To simplify the feedback process for tenants, residents and landlords an online feedback questionnaire was made available as an alternative to providing bespoke written feedback on the proposals.

## 7. Consultation Feedback

7.1 There were 68 responses to the online feedback questionnaire and 2 written and verbal responses to the consultation. Overall response rates were very low and there was a significant difference in opinion between landlords and tenants with 15% private landlords and managing agents in favour of licensing whereas for tenants it was 72%.

7.2 The table below summarises the responses to consultation question:

To what extent do you agree or disagree with the proposed property licencing scheme?

Responses	Number of respondents	Agree/strongly agree %	Neither agree/nor disagree %	Disagree/strongly disagree %
Private landlord or managing agent with properties in Islington	34	15%	15%	70%
Private Tenant	11	72%	19%	19%
Owner occupier or other resident in Islington	3	33%	33%	33%
Other interested party	7	43%	0	57%

7.3 A full analysis of the 70 responses and LBI response to bespoke feedback can be found in Appendix C.

## 8. Implementing the Proposed Licensing Scheme

8.1 Following the formal designation of a licensing scheme there is a statutory notification process that needs to be followed which in effect means that there is a minimum of three months before the schemes can go live. If the designation is approved the suggested implementation date is 1 January 2024.

8.2 Landlords will be required to demonstrate through their licence application(s) that they, and anyone involved in the management of their property, meet fit and proper person criteria, and that the management arrangements are satisfactory. Their application must be supported by plans of the property and certificates covering fire, gas and electrical safety. The cost of providing a licence is lower in relation to landlords who have already made the effort to join a recognised accreditation scheme. This justifies the reduced fees proposed for accredited landlords.



- 8.3 The Housing Act 2004 allows the council to set licence conditions that are appropriate for the management, use and occupation of properties subject to licensing requirements. The Selective Property Licence conditions were adopted by the council in March 2020 and are attached as Appendix E for information.
- 8.4 The council is entitled to cover the costs associated with the scheme through a licence fee but is not allowed to make a surplus or to use the fee income for purposes unrelated to licensing. Councils can agree their own fees that are reasonable and proportionate. It is recommended that the council increase the selective licence fee for the new scheme from £500 to £800. This increase is recommended as having run the scheme for two years in one ward we now appreciate better the level of resourcing that is required to ensure that all elements are delivered effectively.
- 8.5 The number of additional staff required to operate the new scheme is being proposed as 9.5 FTE. This includes a mixture of Licensing Support posts to administer the applications, environmental health and compliance officers, two apprentices and a graduate environmental health trainee. The mixture of experienced and trainee staff will provide the greatest opportunity to maintain sufficient capacity given recruitment challenges in this area as well as providing good career opportunities for people.
- 8.6 It has also been necessary to ensure that all expenditure related to the scheme is covered. Any remaining income after the additional staff costs have been allocated will be spent in full on specialist software licences, legal costs for enforcement and personal costs for staff such as travel/equipment. Total forecast net costs are currently expected to show a balanced position. The recommended new fee will provide sufficient income for the scheme to be managed effectively and enable the council to proactively improve housing conditions, support tenants and hold rogue landlords to account without impacting on the wider council budget.
- 8.7 The licence fee is payable in two parts, part 1 to cover the cost of processing the application and part 2 to cover the cost of running and enforcing the scheme. The recommended apportionment of the fee current fee for a 5 year Selective Property Licence is as follows:

Selective licence application fee	Part I: £450.00 per dwelling
	Part II: £350.00 per dwelling
	Total: £800.00 per dwelling
Selective licence application fee for licence holders or managers accredited under the London Landlord Accreditation Scheme, RLA, NLA, safeAgent or ANUK	Part I: £410.00 per dwelling
	Part II: £315.00 per dwelling
	Total: £725.00 per dwelling

- 8.8 The intention is to ensure that all properties subject to licensing are identified and licenced. A light touch approach towards landlords who comply with licensing requirements will enable enforcement resources to be targeted at those that seek to evade licensing and provide inadequate accommodation. All licenced properties will

receive at least one compliance and monitoring inspection during the five year licensing period, with those being assessed as high risk inspected during the early part of the scheme.

- 8.9 We are fully committed to allocating resources to identifying unlicensed premises, as this is essential to the success of any licensing scheme, and we will use data and intelligence to identify unlicensed premises and take appropriate action to secure compliance.

## 9. Implications

### 9.1 Financial implications

- 9.1.1 The administration of Selective Licensing Schemes should be self-funding over the five year licensing period. Most income will be received in years 1 and 2 and the annual surplus will need to be carried forward to subsequent years to fund monitoring and enforcement activities.
- 9.1.2 It is estimated that an additional 3500 Selective Licences could be issued generating an income in the region of £2.748m over the next 5 years. The amount generated will depend on the number of applications that may qualify for a discount. The income is forecast based on a conservative estimate of the number of properties in the area compared against comparable average discount rates. Enforcement action against those failing to register for Selective Licences through issuing Civil Penalty notices will generate some income, but it is expected to be negligible.
- 9.1.3 The additional income must be spent entirely on the administration, monitoring and enforcement costs associated with the scheme. There is no net financial gain for the Council and the income will primarily be spent on additional processing and enforcement officers. Detailed staffing and resourcing plans will be developed if the proposed designations are confirmed based on average officer costs are expected to be up to 9.5 staff members costing approximately £0.507m per annum. The remaining income will be spent in full on specialist software licences £25,000p.a, legal costs for enforcement £25,000p.a, and personal costs for staff such as travel/equipment and training £20,000p.a. Legal enforcement costs are hard to determine, but the department realises that some legal challenges and engagements may not be successful and has provided for them accordingly. Total forecast net costs are currently expected to show a balanced position (<£10,000) – if an overspend looks apparent, the department will reduce staffing and personal costs to ensure a balanced position is maintained. The forecast income and expenditure can be seen below:

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
<b>Income</b>	(1,236,375)	(412,125)	(412,125)	(412,125)	(274,750)	(2,747,500)
Staff Costs	424,456	445,152	466,862	489,635	580,024	2,406,129
IT (Metastreet)	25,000	25,000	25,000	25,000	25,000	125,000
Travel/Equipment/Personal Costs	20,000	20,000	20,000	20,000	20,000	100,000
Legal Provision for enforcement	25,000	25,000	25,000	25,000	25,000	125,000
<b>Net Surplus/Cost</b>	<b>(741,919)</b>	<b>103,027</b>	<b>124,737</b>	<b>147,510</b>	<b>375,274</b>	<b>8,629</b>

## 9.2 Legal Implications

9.2.1 Section 80 Housing Act 2004 allows the council to designate either

- (a) the whole borough
- (b) an area of the borough as subject to selective licensing if specific requirements are met.

The council must consider if the first or second set of general conditions are met:

The first set of general conditions are:

- a) the area is or likely to be an area of low demand
- b) that making the designation will, when combined with other measures taken by the council or other persons, contribute to the improvement of social or economic conditions in the area

9.2.2 The second set of general conditions are:

- a) that the area is experiencing a significant and persistent problems caused by antisocial behaviour
- b) that some or all of the private landlords who have let premises in an area are failing to take action to combat the problems that it would be appropriate for them to take and
- c) making a designation will, when combined with other measures taken in the area lead to a reduction or elimination of the problem

9.2.3 Section 81 requires the following further considerations when making a designation for selective licensing:

- that the proposed designation is consistent with the council's overall Housing Strategy
- seek to adopt a coordinated approach to homelessness, empty properties and antisocial behaviour affecting the private rented sector both when
  - o using licensing powers and other courses of action available
  - o using licensing powers with measures taken by other persons
- consider whether there are any other alternative courses of action available to them that might provide an effective method of dealing with the problem
- consider that making the designation will significantly assist them deal with the problems

9.2.4 The Selective Licensing of Houses (Additional Conditions) (England) Order 2015

This order specifies additional conditions which the council must consider to be satisfied before making a selective licensing decision:

- a) that the area contains a high proportion of properties in the private rented sector
- b) the properties are occupied under assured tenancies of licence to occupy and
- c) one or more of the following conditions are satisfied:
  - i. it would be appropriate for a significant number of properties to be inspected with the view to determining if any category 1 and 2 hazards and appropriate enforcement action taken
  - ii. the area has experienced or is experiencing an influx of migration
  - iii. the area suffers from a high level of deprivation
  - iv. the area suffers from high levels of crime

9.2.5 Before deciding to introduce an area of additional or selective licensing the council must consult people who are likely to be affected by the designation and consider any representations made.

9.2.6 The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 (“the General Approval”) provides the council with the Secretary of State’s general approval to designate an area as subject to selective licensing where the Council has carried out a consultation for a minimum of 10 weeks.

9.2.7 The General Approval provides that Secretary of State consent is required for implementation of any selective licensing scheme which covers more than 20% of the council’s geographical area or would affect more than 20% of privately rented homes in the borough.

### 9.3 **Licence Fees**

9.3.1 The Housing Act 2004 section 87 allows the council to set licence fees.

9.3.2 The Provision of Services Regulations 2009 requires licence fees to be reasonable and proportionate to the cost of the scheme.

### 9.4 **Licence Conditions**

9.4.1 The Housing Act 2004 section 90 allows the council to set appropriate licence conditions

### 9.5 **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

9.5.1 The designation of Selective Licensing Property Schemes will not undermine the net zero carbon emissions objective and there are no negative environmental implications arising from the proposal.

9.5.2 Landlords will be able to apply for licence applications online and upload supporting documentation electronically. This will minimise the use of paper and the need to recycle paper applications and documentation at the end of data retention period.

9.5.3 Enforcement Officers will continue to walk, cycle or use public transport when traveling to compliance and enforcement inspections.

9.5.4 The designation will not give the council additional powers regarding the energy efficiency of homes but there are regulations already in place (Minimum Energy Efficiency Standard) that the scheme will support. Inspections will identify improvements that are likely to increase the energy efficiency of properties and the landlord register can potentially be used to push out messages to support the net zero priority.

## 9.6 **Equalities Impact Assessment**

9.6.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

9.6.2 The Equalities Impact Assessment concluded that the proposal will have either positive or neutral impacts on people with protected characteristics and from disadvantaged groups. The Equalities Impact Assessment is attached in appendix G

# 10. Reason for recommendations

10.1 Designating areas of the borough for property licensing is consistent with the council's Housing Strategy and mission to ensure that everyone has a safe place to call home. Evidence supports the proposal to designate a Selective Licensing Scheme for all privately rented properties in Finsbury Park, Tollington and Hillrise. Stakeholder consultation indicated that landlords tend not support licensing schemes whereas private renters, are in favour of licensing to regulate and improve housing conditions in the private rented sector.

## **Appendices:**

- A Consultation Document
- B Consultation FAQs
- C Consultation Response and LBI Response- to Consultation
- D Map showing boundary of Finsbury Park, Tollington and Hillrise Selective Licensing Scheme
- E Selective Licence Conditions
- F Licence Fees
- G Residents Impact Assessment

## **Background papers:**

DHCLG – An Independent review of the Use and Effectiveness of Selective Licensing June 2019

**Final report clearance:**

**Authorised by:** Executive Member for Homes and Communities

**Date:** 10 July 2023

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Islington Together: for a more equal future

SELECTIVE LICENSING

Public consultation on new proposals for private rented housing licensing scheme

Full Consultation Document

December 2021

Consultation from 23 December 2021 to 27 March 2022

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# 1 Foreword

- 1.1 The need to secure good quality, genuinely affordable homes for our residents has never been greater. Islington Council believes that nobody should ever be without a decent roof over their heads, and we will also work to eliminate rough sleeping and support people experiencing homelessness. We want to make sure that we use our power and influence in other areas to stand up for private renters and all others in our communities to ensure equity in access to decent, safe, and affordable homes.
- 1.2 The shortage of affordable housing continues to be a real concern for Islington residents, as the nationwide housing crisis is being acutely felt in the country's inner cities. We know that this means far too many residents fall victim to rogue landlords and far too many young people being brought up in the borough are facing the reality of being unable to afford to continue to live in the communities into which they were born.
- 1.3 At a time when the demand for low-cost accommodation is high, not just in Islington, but across London and nationally, it falls upon local authorities to ensure that the standard of accommodation is of a satisfactory standard, regardless of the cost. It must be safe, not overcrowded and not impact upon the health and wellbeing of those who live in it. The accommodation should also not have an adverse impact upon the neighbourhood in which it is located, through poor visual impact caused by poor management, or the anti-social behaviour of those living in or visiting the accommodation.
- 1.4 The private rented sector in Islington is significant, with around 30% of the housing stock being privately rented<sup>1</sup>. The evidence we have gathered demonstrates that, although many privately rented properties are perfectly satisfactory and landlords and tenants behave responsibly, there is a significant amount of privately rented housing that is not up to standard. This evidence has led us to believe that the most effective way to improve this situation is by implementing a new selective licensing scheme for private rented properties.
- 1.5 The new scheme will cover new wards of Finsbury Park, Tollington and Hillrise and replace the existing selective licensing scheme for Finsbury Park ward. It is the most practical next phase in our plan to improve property standards across the borough.
- 1.6 Alongside existing initiatives and our partners, this scheme will enable our officers to apply conditions and, where necessary, to secure improvements and more readily target those who do not maintain and manage their properties properly.
- 1.7 We invite all interested parties, including tenants, landlords, agents, businesses, voluntary organisations, and other residents to let us know what they think of our proposals, and I am certain that you will agree that this is the correct course of action to make Islington a safer, healthier, and altogether even better place to live than it already is.

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<sup>1</sup> [LB Islington Private Sector Analysis 2021](#)

## 2 Introduction

- 2.1 Under the Housing Act 2004, there are three types of licensing scheme relating to private sector housing available to local authorities:

### **Mandatory licensing of certain houses in multiple occupation (HMOs)**

- 2.2 All local authorities are required to operate a mandatory licensing scheme for houses in multiple occupation (HMOs) that are occupied by five or more people who are not living together as a single household and who share kitchen and/or bathroom facilities.

### **Additional licensing of HMOs**

- 2.3 Local authorities can introduce a discretionary additional licensing scheme<sup>2</sup> for other types of HMOs not subject to mandatory licensing, in part or the whole of the area of its district. Islington introduced a borough wide additional licensing scheme<sup>3</sup>, which came into force on 1 February 2021, following the expiry of an earlier scheme covering all HMOs located on Caledonian Road and Holloway Road. This latest scheme applies to houses and flats that are let to three or more people who are not all members of the same family where three and certain converted flats covered by Section 257 of the Housing Act 2004.

### **Selective Licensing**

- 2.4 A discretionary selective licensing scheme<sup>4</sup> covers all other privately rented properties and can be introduced in part, or across the whole of a borough. The law requires that, where a proposed selective licensing designation is either greater than 20% of the geographical area of the borough, or covers more than 20% of the private rented properties within the borough, then following consultation, the scheme must be submitted to the Secretary of State for Levelling Up, Housing and Communities for approval<sup>5</sup>. Islington already has a selective licensing scheme in the existing Finsbury Park ward<sup>6</sup>, which came into operation on 1 February 2021.
- 2.5 In an area subject to licensing, all private landlords of properties that meet the scheme criteria, must obtain a licence and if they fail to do so, or fail to achieve acceptable management standards, the authority can take enforcement action. Schemes run for a maximum period of five years and a fee is payable for each licence.

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<sup>2</sup> Housing Act 2004, [Section 56](#)

<sup>3</sup> <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/communityandliving/information/adviceandinformation/20202021/20201207publicnoticeboroughwideadditional.pdf>

<sup>4</sup> Housing Act 2004, [Section 80](#)

<sup>5</sup> [The Housing Act 2004: Licensing Of Houses In Multiple Occupation And Selective Licensing Of Other Residential Accommodation \(England\) General Approval 2015](#) Paragraph 6.

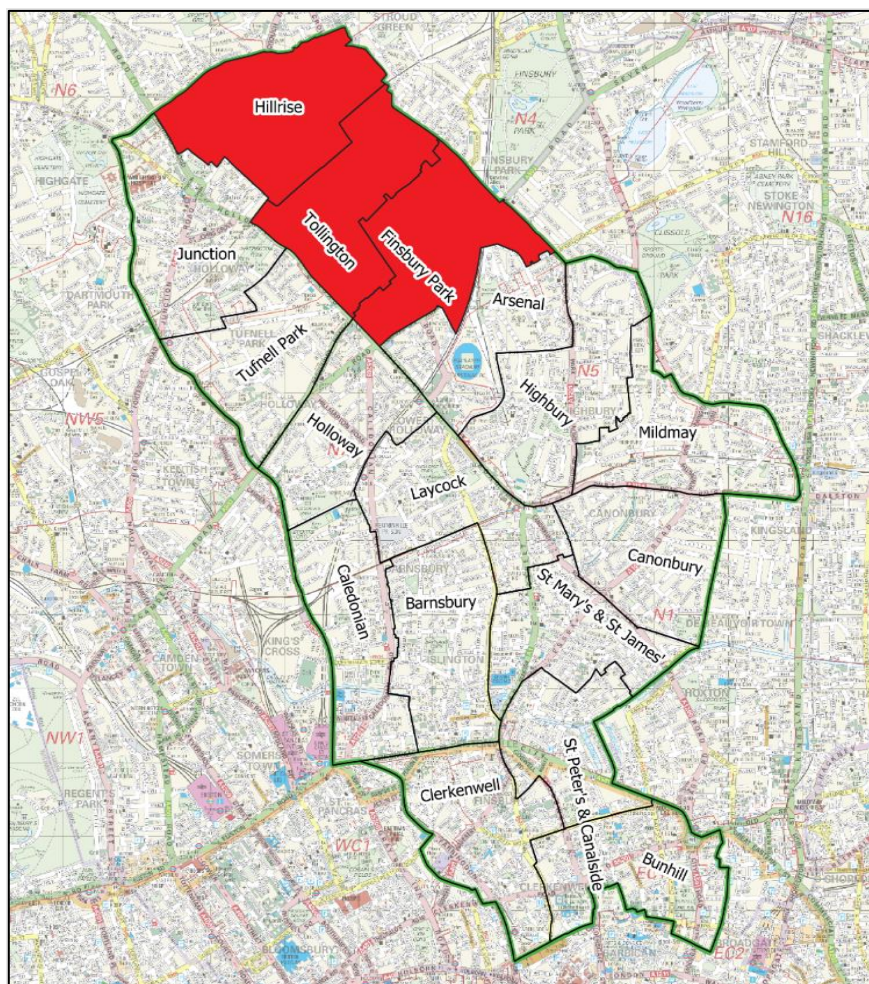
<sup>6</sup> <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/communityandliving/information/adviceandinformation/20202021/20201207selectivelicensingdesignation20201.pdf>

### 3 Islington's selective licensing proposal

- 3.1 Islington Council is consulting on a proposal to designate a selective licensing scheme covering the new wards of Hillrise, Tollington and Finsbury Park and the revoke the existing Finsbury Park selective licensing scheme.

[Appendix 1](#) contains a list of all streets covered by the designation.

- 3.2 Map 1 shows the areas proposed to be included in the designation shaded in red.



Map 1. Areas covered by the proposed designations.

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- 3.3 The Local Government Boundary Commission for England is introducing new ward boundaries and ward names in Islington, which will take effect from May 2022. These changes impact the existing designation for selective licensing of Finsbury Park ward. The new Finsbury Park ward will include areas that are currently not part of the ward, and areas of the current ward will become part of the new Tollington ward. The existing designation definition of the area to which the scheme applies, as currently worded, will therefore become outdated, inaccurate, and confusing in its current format.
- 3.4 Islington Council proposes to designate a new selective licensing scheme covering the new Finsbury Park, Tollington and Hillrise wards and revoke the existing designation for Finsbury Park ward.



- 3.5 The effect of the new designation will be that all properties currently covered by the Finsbury Park designation will continue to be included in the new selective licensing scheme. Existing licences will remain in force under the new scheme, so there will be no change for landlords or tenants of existing licensable properties. The proposed scheme will cover less than 20% private rented properties in the borough which means that the council can make this decision without Secretary of State approval.
- 3.6 The selective licensing scheme will apply to all houses and flats located within the three new wards set out in paragraphs that are rented to either:
- a single person
  - two people sharing
  - any number of persons forming a single household.
- 3.7 Houses in Multiple Occupation that require a mandatory or additional HMO licence are exempt from selective licensing.

### **Licence Applications**

- 3.8 The licensing process will require the applicant to:
- apply for a licence which will require providing details of the management and safety arrangements;
  - pay an application fee;
  - meet a 'fit and proper person' test to confirm the suitability of the applicant to hold a licence;
  - comply with specific licence conditions contained in Appendix 3;
  - provide copies of safety certificate such as gas safety, electrical safety, fire alarms and emergency lighting, management arrangements, tenancy agreement and floor plans.
- 3.9 On receipt of a complete application the council will carry out a series of checks before issuing a draft licence. The applicant will have the opportunity to comment on the draft licence before a full licence is issued. Properties will be risk assessed and prioritised for inspection during the 5-year life of the licence. The highest risk properties will receive an inspection first and the aim will be to inspect all licenced properties during the lifetime of the licence.
- 3.10 The licence inspection will verify the information provided on the application form, compliance with licence conditions and an assessment of the housing health and safety hazards under [Part 1 of the Housing Act 2004](#). Where defects are observed action will be taken to rectify the situation.

### **Licensing Objectives**

- 3.11 Licensing allows the council to implement a proactive approach to identifying private rented properties and undertaking a risk- based approach to tackling poor housing conditions and raising standards in private rented housing.
- 3.12 By placing the onus on property owners to inform the council that they have a property that is in scope of the scheme to submit a licence application, the council is able to target

resources on identifying landlords that evade licensing, and those that need to take action to bring their properties up to standard.

3.13 The key licensing objective for this proposed licensing scheme is to improve property conditions in privately rented properties within the designated wards by:

- creating a clear set of rules that all landlords must follow
- providing standards for poor performing landlords to help them improve
- deterring unsuitable landlords, for example, those with certain criminal records or previous poor history as a landlord, from entering or remaining in the private rented property market
- encouraging absent or inexperienced landlords to use reputable agents to manage property on their behalf
- improving waste management and recycling
- enabling the council and tenants to more readily identify landlords
- assuring tenants that licensed accommodation is managed to a reasonable standard
- making it easier for tenants to complain about poor housing standards without fear of eviction
- creating a level playing field for landlords who treat their tenants fairly
- recognising responsible landlords who are members of a landlord accreditation scheme by offering a reduced application fee
- prioritising the council's enforcement resources towards identifying and tackling landlords who need to improve the way they manage their properties.

## 4 Considerations for introducing selective licensing schemes

- 4.1 Islington has an important and growing private rented sector (PRS) that provides affordable housing options for local people. It recognises that most landlords operate professionally, however, the council is concerned about the level of privately rented properties that fail to meet satisfactory levels of property management and the resultant low quality of housing in certain areas of the borough.
- 4.2 Improving the quality of housing in the private rented sector is key to the council's housing strategy. The council considers that introducing new selective licensing scheme for additional wards is the best tool available to tackle problems of poor property conditions due to substandard management practices in the private rented sector. Licensing is part of a wider strategic approach to drive up living standards for all, improve the environment and make Islington the place of choice to live in London.
- 4.3 The proposed selective licensing scheme primarily seeks to address high levels of poor property conditions in the borough. The potential for licensing to combat anti-social behaviour, crime and deprivation further supports the proposal.
- 4.4 Following an extensive analysis of property conditions and other considerations in the private rented sector, the data clearly shows nine wards which would benefit most from selective licensing. Those wards are Finsbury Park, Junction, Tollington, Caledonian, Hillrise, Laycock, Tufnell Park, Arsenal and Holloway.
- 4.5 The council intends to take a phased approach to selective licensing, starting with a scheme covering less than 20% of the borough, thus not requiring approval from the secretary of state, before proposing further schemes.
- 4.6 A selective licensing scheme is already in operation in Finsbury Park and in some of Tollington ward. The new scheme will cover Finsbury Park, Tollington and Hillrise. These wards were chosen to make the scheme as clear and practical as possible, covering a simply defined geographical area (the North East of the borough), including all areas with an existing selective licensing scheme, whilst remaining below the 20% threshold.

### Housing Strategy

- 4.7 The [Housing Strategy 2021-2026](#) outlines the council's approach to housing, including the provision of affordable homes, homelessness, new build, net carbon zero and the private rented sector for the next 5 years. The strategy states the council's commitment to standing up for private renters by using its licensing powers to set and maintain housing conditions in this sector. Islington wants to ensure that all privately rented properties in the borough offer residents a choice of safe, quality and well managed accommodation.
- 4.8 The strategy recognises the high number of complaints coming from the private rented sector in Islington. It outlines the measures the council are taking to tackle rogue landlords: providing advice, serving improvement notices, and promoting high standards of professionalism amongst landlords and managing agents through forums, campaigns and accreditation schemes.
- 4.9 The strategy sets out an intention to build on the successes of existing licensing schemes, extending selective licensing to other areas where evidence dictates it is the most

appropriate form of action. Islington's schemes will contribute to a clearer regulatory framework across London, directly supporting the Mayor of London's Housing Strategy.

- 4.10 In addition to the Housing Strategy, Islington has considered how the selective licensing proposals complement other council strategy including the council's overarching strategic plan.
- 4.11 We recognise that to achieve these priorities and ambitions there is a need for a robust and coherent regulatory framework in which this market operates.
- 4.12 Islington has identified that problems in the private rented sector of poor property and tenancy management and associated crime and anti-social behaviour are distributed across the borough and are not exclusive to a particular type of rented property. To tackle these issues, we are proposing that alongside the existing borough wide additional licensing scheme for Houses in Multiple Occupation, we replace the selective licensing scheme in Finsbury Park ward with a selective licensing scheme across three of the seventeen new wards. We have gathered data that provides clear evidence of significant issues, primarily in relation to poor property conditions, but supported by evidence of deprivation, ASB and crime. The introduction of these schemes will assist the council in tackling these issues and significantly contribute to the improvement of the private rented sector.

### Selective Licensing Criteria

- 4.13 The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 sets out the requirements for designating a selective licensing scheme.
- 4.14 The first requirement is that the area must have a high proportion of private rented properties<sup>7</sup>. Government guidance<sup>8</sup> suggests any area with more than the national average would indicate a high proportion, which according to the English House Survey for 2019-20 was 19%<sup>9</sup>. The data for Islington shows that 30% households in the borough are in the private rented sector and that the percentage of privately rented properties in each of the new wards ranges from 22.5% to 41.2%. Therefore, subject to meeting the other relevant criteria, every ward would be eligible for inclusion in a selective licensing scheme.

The full data set is contained in [Section 8](#).

- 4.15 The next requirement is that the area covered by the proposals must be seen to be suffering from problems and that these problems are attributable to at least one of the following criteria:
- poor property conditions<sup>10</sup>
  - a significant and persistent problem caused by anti-social behaviour<sup>11</sup>
  - high levels of crime<sup>12</sup>

<sup>7</sup> The Selective Licensing of Houses (Additional Conditions) (England) Order 2015. <https://www.legislation.gov.uk/ukdsi/2015/9780111131435>

<sup>8</sup> Selective licensing in the private rented sector. A Guide for local authorities. Department for Communities and Local Government. <https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>

<sup>9</sup> English Housing Survey Headline Report, 2019-20

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/945013/2019-20\\_EHS\\_Headline\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945013/2019-20_EHS_Headline_Report.pdf)

<sup>10</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – [Article 4](#)

<sup>11</sup> Housing Act 2004. Section 80 (6) (a)

<sup>12</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – [Article 7](#)

- high level of deprivation<sup>13</sup>
- high levels of migration<sup>14</sup>
- low housing demand (or is likely to become such an area)<sup>15</sup>.

4.16 In considering the relevant criteria, data has been analysed at borough level, ward level and at the level of smaller areas known as Lower Super Output Areas (LSOAs), depending upon the detail of data available for each of the criteria.

4.17 We believe that the level of poor property conditions meets the requirement to designate a selective licensing scheme in the proposed wards. Levels of anti-social behaviour, crime and deprivation further support a decision to introduce selective licensing. Migration and low housing demand do not contribute to the decision to introduce the new scheme.

### Poor Property Conditions

4.18 The council analysed the data that it collects on poor property conditions in the PRS and concluded that the new wards of Finsbury Park, Tollington, Hillrise, Junction, Tufnell Park, Holloway, Arsenal, Laycock and Caledonian, have the lowest standards. Properties are frequently found to be suffering from issues such as:

- disrepair
- damp and mould
- poor, inadequate, or missing facilities
- poor layout
- risk of falls
- inadequate prevention of entry by intruders
- overcrowding
- gas safety.

4.19 The council received 3,168 complaints about properties in the PRS (excluding specific HMO related complaints) between September 2014 and March 2020 ranging from disrepair to nuisance such as accumulations of refuse and pest infestations. The highest numbers of complaints were in the new wards of Finsbury Park, Caledonian, Junction, Tollington, Laycock, Arsenal, Hillrise, Holloway and Tufnell Park.

4.20 Although tenant's complaints are a strong indicator of poor conditions the main indicator is the presence of what are known as category 1 and category 2 hazards<sup>16</sup>. There are 29 hazards which can present a risk to the health and safety of tenants which, when risk assessed, determines the extent to which the council should take action to remove or reduce the hazard.

4.21 Data indicates that the number of properties with category 1 and the highest risk category 2 hazards (bands D & E) and the number of such hazards identified in each property inspected by council officers were greater in the nine wards identified above.

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<sup>13</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – [Article 6](#)

<sup>14</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – [Article 5](#)

<sup>15</sup> Housing Act 2004. [Section 80](#) (3) (a)

<sup>16</sup> Housing Act 2004. Section 2

- 4.22 A further indicator of poor housing conditions is that the hazards identified during complaint investigations were so serious that they warranted the service of a formal enforcement notice requiring works to be undertaken within a specified time. The greatest number of properties requiring enforcement action for hazards identified were in the nine wards listed above.
- 4.23 The age of a property can be a contributory factor as older properties tend to require a higher level of maintenance to the external fabric of the building, are not so well insulated which means there is a higher risk of damp, condensation, and excess cold. The Department for Levelling Up, Housing and Communities explicitly considers the age of building components, alongside component condition, to determine whether a dwelling is in a reasonable state of repair and therefore 'decent home'.<sup>17</sup> The majority of components are considered old after 40 years and all components are considered old after 80 years.
- 4.24 Unfortunately, data on the age of properties is only available for existing ward boundaries but correlating this data again the new ward boundaries indicate that new wards of Laycock, Tollington, Tufnell Park, Finsbury Park, Hillrise, Arsenal, Junction, Caledonian and Holloway have a sizeable number of properties built before 1945.
- 4.25 A report by Shelter in 2014, titled "Can't complain: why poor conditions prevail in private rented homes"<sup>18</sup> suggested that up to 61% of private renters have experienced at least one of the following in the last 12 months: mould or damp, leaking roofs or windows, electrical hazards, animal infestations or gas leaks<sup>19</sup>. The report suggests one in eight tenants experiencing problems do not report poor conditions because they fear retaliatory eviction. The council's own estimates suggest there could be at least **18.7%** of privately rented properties in Islington with category 1 or 2 hazards based upon the analysis of complaint and enforcement data for the PRS discussed in [Section 8](#).
- 4.26 The introduction of selective licensing covering three wards will enable the council to systematically carry out inspections to identify hazards and compliance with licence conditions and to secure improvements.
- 4.27 Where action is required to remedy category 1 and 2 hazards the council will use the most appropriate enforcement powers to seek remediation, including the service of Improvement Notices, Prohibition Orders, Prosecutions and Civil Penalties.
- 4.28 The council expects that selective licensing will encourage most landlords to proactively work towards providing and maintaining their properties to the required standard and the provision of a set of clear licence conditions makes will facilitate this objective.
- 4.29 In the proposed scheme licence conditions will cover:
- dealing with defects and disrepair
  - gas safety
  - electrical safety
  - pest control management
  - carbon monoxide detectors

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<sup>17</sup><https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

<sup>18</sup> [https://landlordlawblog.co.uk/wp-content/uploads/2014/03/6430\\_04\\_9\\_Million\\_Renters\\_Policy\\_Report\\_Proof\\_6\\_opt.pdf](https://landlordlawblog.co.uk/wp-content/uploads/2014/03/6430_04_9_Million_Renters_Policy_Report_Proof_6_opt.pdf)

<sup>19</sup> YouGov 2014, base 4544 private renting English adults. Jointly commissioned by Shelter and British Gas

- smoke alarms
- regular checks on the internal and external parts of the building.

4.30 We believe that the level of poor property conditions meets the requirement to designate a selective licensing scheme in the proposed wards.

### **Anti-social behaviour (ASB)**

4.31 Anti-social behaviour can have an adverse impact upon on the health, safety and wellbeing of tenants, neighbours and local neighbourhoods. ASB can take many forms, but in the context of selective licensing the council has focused on analysing data relating to<sup>20</sup>:

- intimidation and harassment of tenants or neighbours
- noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity
- animal related problems
- vehicle related nuisance
- anti-social drinking or prostitution
- illegal drug taking or dealing
- graffiti and fly posting
- litter and waste within the curtilage of the property.

4.32 A total of 62,400 cases of ASB were reported to the council or the police during 2019 and 2020 relating to a wide range of sources. Whilst not all ASB can be directly linked to private rented properties, at least 5% of ASB cases during this two-year period were linked to PRS properties.

4.33 Data indicates that seven wards meet several trigger indicators to justify ASB being a supporting factor in the proposal to include these seven wards in the selective licensing designation. These seven wards were Tollington, Finsbury Park, Tufnell Park Caledonian, Hillrise, Junction and Arsenal.

4.34 Although ASB is not the primary reason for selective licensing, licence conditions can set management standards to assist landlords play their part in helping to mitigate against ASB associated with the PRS, for example:

- obtaining reference checks for proposed tenants checks
- tenancy conditions and management arrangement relating to antisocial behaviour by tenants and their visitors
- waste management and recycling facilities
- undertaking regular property inspections.

### **Crime**

4.35 A high level of crime is not exclusive to any one part of the borough but some of the wards selected for inclusion in selective licensing are above average for specific types of crime. For this reason, crime is a supporting factor for two of the three wards that that are being considered for selective licensing. Finsbury Park, in which crime in general is high and Tollington that has relatively high levels of residential burglary.

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<sup>20</sup> [Selective licensing in the private rented sector. A Guide for local authorities.](#) Department for Communities and Local Government

4.36 Although crime is not the primary reason for selective licensing, licence conditions can set management standards to assist landlords play their part in helping to protect properties from entry by intruders including maintaining entrance doors, locks and door entry systems, door, and window key management arrangements.

### Deprivation

- 4.37 To show that deprivation is a relevant criterion for the area proposed for a selective licensing designation, it must be demonstrated that the area is suffering from an elevated level of deprivation, which affects a considerable number of the occupants of private rented properties<sup>21</sup>.
- 4.38 Deprivation indices consider the following factors when comparing against other neighbourhoods:
- the employment status of adults,
  - the average income of households,
  - the health of households,
  - the availability and ease of access to education, training and other services for households,
  - housing conditions,
  - the physical environment,
  - levels of crime.
- 4.39 The most deprived households tend to live in the poorest accommodation. A recently published study, *The Evolving Private Rented Sector: Its Contribution and Potential*, by Julie Rugg and David Rhodes (*The 2018 Rugg Report*)<sup>22</sup> states, “As the proportion of households living in the PRS increased, so the level of deprivation also tended to increase within each region, the most deprived areas had the largest PRS.”
- 4.40 Although the 2019 Index of Multiple Deprivation shows that Islington has improved from being the 11th most deprived borough in the country in 2011 to the 53rd most deprived<sup>23</sup>, Islington remains a deprived borough and is the 6<sup>th</sup> most deprived in London. The rank of deprivation has shown Finsbury Park, Hillrise, Tufnell Park, Laycock, Arsenal and Holloway to be amongst the new wards with the highest levels of deprivation either across the board or in specific domains, such as access to housing, income, and environment.
- 4.41 Although deprivation is not the principal reason for designation, the high levels of deprivation in Finsbury Park and Hillrise is a strong supporting factor.
- 4.42 Licences under the designation will help to ensure that properties are responsibly managed and thereby contribute to an improvement in the well-being of the occupants and the wider community in those wards and surrounding areas and so contribute to a reduction in deprivation.

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<sup>21</sup> Selective licensing in the private rented sector A Guide for local authorities. Department for Communities and Local Government

<sup>22</sup> <http://www.nationwidefoundation.org.uk/wp-content/uploads/2018/09/Private-Rented-Sector-report.pdf>

<sup>23</sup> <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>



## Migration

- 4.43 The 2018 Rugg & Rhodes Report stated that “Eighty per cent of recent migrants to the UK from overseas live in the PRS, and this proportion is higher in London; lower-income migrants are often disadvantaged in the PRS as a consequence of housing rights and responsibilities and language difficulties; there are concerns that ‘right to rent’ regulation is further disadvantaging migrant renters who may be more likely to fall into the more informal and shadowy PRS”
- 4.44 The Office for National Statistics mid-year population estimates<sup>24</sup> show that between 2018 and 2019 14 out of 16 wards in Islington experienced an increase in population. The Department for Levelling Up, Housing & Communities (formerly MHCLG) guidance suggests that an increase of greater than 15% in a 12-month period is an indicator of high levels of migration<sup>25</sup>. The highest increase was in Holloway Ward, which was 3.9%.
- 4.45 The analysis of data migration in section 8 indicates that migration is not a supporting factor in the proposal to designate 3 wards for selective licensing.

## Low housing demand

- 4.46 Islington is not an area of low housing demand and so this not a relevant factor in the proposal to designate 3 wards for selective licensing

## Conclusion

- 4.47 Following consideration of the above criteria the council are of the firm belief that the introduction of a selective licensing scheme in three wards in the proposed designation will be the most effective way to deal with improving housing conditions in the private rented sector.
- 4.48 Additional and selective licensing schemes are an integral part of the councils Housing Strategy and Islington Together Strategic Plan. Working alongside mainstream services and council initiatives selective licensing will enable the council to regulate the privately rented sector in Islington and systematically identify and tackle poor housing conditions.
- 4.49 The three wards selected for inclusion in the proposed selective licensing scheme meet the property licensing criteria and the council will proceed to the consultation stage on this basis.
- 4.50 All other criteria have been considered but the data indicates that ASB, crime and deprivation are material considerations in some of the wards selected but they are not the primary reason for proposing selective licensing to introduce a new selective licensing scheme.
- 4.51 Table 1 shows the wards that have been shown to have high, or above mean average issues against the criteria of property conditions, ASB, crime and deprivation. The three

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<sup>24</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/wardlevelmidyearpopulationestimatesexperimental>

<sup>25</sup> Selective licensing in the private rented sector A Guide for local authorities. Department for Communities and Local Government

wards in the proposed designation all feature against property conditions and at least two other criteria.

Table 1. Wards matched against criteria for selective licensing.

New ward	Property conditions	ASB	Crime	Deprivation
Finsbury Park	x	x	x	x
Caledonian	x	x	x	
Hillrise	x	x		x
Laycock	x		x	x
Tufnell Park	x	x	x	x
Arsenal	x	x	x	x
Junction	x	x	x	
Holloway	x		x	x
Tollington	x	x	x	
Bunhill		x	x	x
Canonbury		x	x	x
Clerkenwell		x	x	
St Mary's & St James'			x	
Highbury		x	x	
Mildmay		x	x	
St Peter's & Canalside		x		
Barnsbury				

## 5 Alternative options considered

- 5.1 The council's preferred approach is to improve housing conditions in the private rented sector by using licensing powers to set standards, for landlords to be required to apply for a licence and for robust enforcement action to be taken against landlords that fail to licence or provide accommodation that meets the required standard.
- 5.2 Alternative options for identifying and dealing with properties in the PRS that are not safe or managed effectively have been considered.

### **Make no changes to the current approach**

- 5.3 In 2019 the Finsbury Park selective licensing scheme consultation indicated that over 64% of respondents were supportive of proactively licensing privately rented properties and to improve the housing standards in the private rented sector and to hold rogue landlords to account.
- 5.4 The council could continue to operate the selective licensing scheme in the current ward of Finsbury Park and for all other parts of the borough tackle poor conditions in the private sector when tenants contact the council to complain about their accommodation. This approach relies on tenants being aware and confident that they can seek the council's help without any concern that such an approach could damage their relationship with their landlord.
- 5.5 It is neither effective for tenants nor efficient for the council to rely on complaints to improve housing conditions in the private rented sector. Many properties go under the radar because tenants are afraid or reluctant to complain and any proactive inspection programme needs to be intelligence led to identify and target the worst properties.
- 5.6 A licensing regime requires properties to meet a minimum standard, for landlords to apply for a licence and the council to target the highest risk properties for inspection first. Licensing properties in the selected area creates a level playing field where tenants can be assured that landlords will maintain properties to certain standards, that the council will regulate through the imposition of conditions and taking enforcement action when required.
- 5.7 Once the new ward boundaries are introduced in May 2022, the existing designation for Finsbury Park will become contradictory and confusing. The designation as it stands refers to both a boundary marked on a map, which clearly shows the streets in scope, and the designation also states it applies to Finsbury Park ward, which will not have the same boundaries after May 2022. Revocation of the existing scheme and a new designation based on the new boundaries, incorporating the whole of the new Finsbury Park ward in addition to the proposed inclusion of Tollington and Hillrise will eliminate this contradiction and any confusion arising.

### **Introduce different area-based schemes to the ones proposed**

- 5.8 The law requires that certain criteria are met for a selective licensing designation to be made. The council is required to consider the law and guidance issued by government and ensure that its proposals are consistent with them. Once the 20% threshold for either the geographical area of the borough or the total number of properties covered by a selective

scheme is reached, any decision to extend selective licensing beyond this will require approval from the Secretary of State.

- 5.9 Whilst the council's strategy for the private rented sector is to set and maintain housing standards through licensing it recognises that there should be a phased approach, based on evidence, with the worst areas selected for licensing first. The data indicates that the new wards of Finsbury Park, Tollington and Hillrise are three of the wards where property licensing could have the greatest effect.
- 5.10 A selective licensing scheme is already in place in Finsbury Park and part of Tollington ward. For the new scheme, Finsbury Park, Tollington and Hillrise wards were chosen to make the scheme as clear and practical as possible, covering a simply defined geographical area (the North East of the borough), including all areas with an existing selective licensing scheme, whilst remaining below the 20% threshold.

### **Encourage more voluntary landlord accreditation**

- 5.11 Islington promotes the London Landlord Accreditation Scheme (LLAS) and Accreditation and Training for Landlords and Agents Scheme (ATLAS)<sup>26</sup>.
- 5.12 This is a voluntary scheme where landlords sign up to a national code of conduct and are supported with training and on-going professional development opportunities comply with the law and provide safe, decent quality homes.
- 5.13 There are approximately 1000 accredited landlords in Islington signed up to ATLAS. Experience has shown that whilst good landlords are willing to participate in accreditation, a significant proportion of landlords are not prepared to engage with voluntary accreditation schemes. For this part of the sector, effective licensing and enforcement is the appropriate course of action.
- 5.14 The council will continue to promote landlord accreditation alongside the introduction of any discretionary licensing schemes.

### **Alternative options conclusions**

- 5.15 The options outlined above do not offer an effective alternative to improving property conditions in the selected wards.
- 5.16 Selective licensing enables the council to set standards to improve and maintain private sector housing conditions. Licensing requires the landlord and managing agent to meet "fit and proper person" criteria to obtain a licence and this in turns deters rogue landlords from operating in private rented sector. There is no practical alternative to a selective licensing scheme.

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<sup>26</sup> <https://www.londonlandlords.org.uk/>

## 6 Proposed licence fee structure

- 6.1 The 5-year licence fee will be £800 per licensable property. For licence applicants who are members of an accredited landlord scheme the fee is £725. Full details of all the fees can be found in [Appendix 2](#).
- 6.2 The fee has been set on a cost recovery basis and, to comply with legal requirements, will be in 2 parts; part 1 will cover the cost of administering the licensing scheme and part 2 will cover the costs of monitoring and enforcement.
- 6.3 The part 1 fee will be payable when the application is submitted. Part 2 will become payable when the application has been validated and the draft licence is ready to be issued. If the council refuses an application the applicant is only liable to pay the part 1 fee.
- 6.4 The income raised from the scheme is ring-fenced, which means that it can only be used to cover costs associated with selective licensing over the five years of the scheme. It cannot be used to raise income for other council functions.

## 7 Conditions

- 7.1 Each new licence granted would be subject to a set of licence conditions, including mandatory conditions for selective licences set out in [Schedule 4](#) of the Housing Act 2004.
- 7.2 The Licence conditions can be found in Appendix 3.

## 8 The evidence

- 8.1 The council has undertaken an extensive review of all available data, both from within its own organisation and that more widely available, in relation to both the local, regional and national picture in reaching its conclusion that the proposed selective licensing scheme are the most appropriate correct course of action to take. Key data sources include:
- 2011 Census data
  - Office for National Statistics (ONS)
  - Greater London Authority (GLA Datastore)
  - Islington Council data.
- 8.2 This section begins with an analysis of Islington as a borough, followed by an analysis of each of the criteria to be considered for a selective licensing scheme, broken down by ward.

## 8.1 PART A: The London Borough of Islington – Geography

- A1. Islington is a north-central, inner London borough. The southern part of the borough borders the City of London and the London boroughs of Camden to the west, Hackney to the east and Haringey to the north.
- A2. Islington is a borough of great strengths: thriving businesses; excellent transport links; outstanding services; and most importantly, a rich and wonderful diversity of people, cultures and communities. But despite these strengths, many people are in danger of being left behind. Poverty, mental ill-health and anxiety about the future, lack of access to good jobs, poor air quality and housing conditions, prejudice, racism and injustice are holding people back.
- A3. Islington is small, and densely populated, with a growing, diverse, and young population, which was estimated to be 244,372<sup>27</sup> in 2021. It is a borough of stark contrasts, where many children and older people are living in poverty. Islington has the highest level of child poverty in London (28%) and ranks 4th highest in London for poverty among older people.
- A4. Islington is the third smallest London local authority after City of London and Kensington & Chelsea, at 14.8 square kilometres, or 6 square miles<sup>28</sup>, accounting for only 0.9% of the London geographical area. Only 13% of the borough's land is green space: this is the second lowest proportion of any local authority in the country.
- A5. Table 2 below shows the area of London boroughs and the population density.

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<sup>27</sup> <https://data.london.gov.uk/dataset/land-area-and-population-density-ward-and-borough>

<sup>28</sup> <https://data.london.gov.uk/dataset/land-area-and-population-density-ward-and-borough>



Table 2. Islington area and population compared to London.

<b>Borough</b>	<b>Square kilometres</b>	<b>% London geographical area</b>	<b>Population</b>
<b>Tower Hamlets</b>	19.8	1.3%	331620
<b>Islington</b>	14.8	0.9%	244372
<b>Hackney</b>	19.0	1.2%	292023
<b>Kensington and Chelsea</b>	12.1	0.8%	161552
<b>Lambeth</b>	26.8	1.7%	342250
<b>Westminster</b>	21.5	1.4%	262317
<b>Hammersmith and Fulham</b>	16.4	1.0%	195981
<b>Camden</b>	21.8	1.4%	259344
<b>Southwark</b>	28.9	1.8%	332679
<b>Newham</b>	36.2	2.3%	366943
<b>Wandsworth</b>	34.3	2.2%	337783
<b>Haringey</b>	29.6	1.9%	291330
<b>Lewisham</b>	35.1	2.2%	320574
<b>Brent</b>	43.2	2.7%	346437
<b>Waltham Forest</b>	38.8	2.5%	292788
<b>Ealing</b>	55.5	3.5%	369685
<b>Greenwich</b>	47.3	3.0%	294837
<b>Barking and Dagenham</b>	36.1	2.3%	221495
<b>Merton</b>	37.6	2.4%	214740
<b>Redbridge</b>	56.4	3.6%	316288
<b>Harrow</b>	50.5	3.2%	263484
<b>Hounslow</b>	56.0	3.6%	286947
<b>Kingston upon Thames</b>	37.3	2.4%	184660
<b>Sutton</b>	43.8	2.8%	213340
<b>Barnet</b>	86.7	5.5%	411275
<b>Croydon</b>	86.5	5.5%	403461
<b>Enfield</b>	80.8	5.1%	346635
<b>Bexley</b>	60.6	3.9%	256845
<b>Richmond upon Thames</b>	57.4	3.7%	203312
<b>City of London</b>	2.9	0.2%	8164
<b>Hillingdon</b>	115.7	7.4%	319467
<b>Havering</b>	112.3	7.1%	265930
<b>Bromley</b>	150.1	9.5%	339466
<b>TOTAL</b>	<b>1,571.9</b>	<b>100%</b>	<b>9,298,024</b>

A6. Map 2 shows the location of Islington in north-central London.

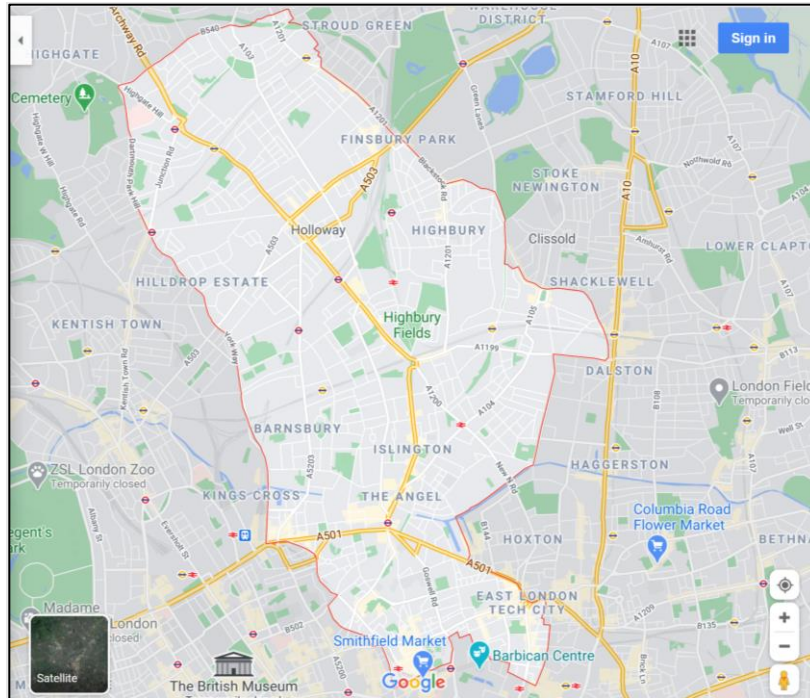


Map 2. London borough map.

- A7. Highbury Fields is the largest green space, part of only 13%<sup>29</sup> green space within the borough, which is the second lowest proportion of any local authority in the country and far lower than outer London boroughs such as Barking and Dagenham where approximately a third of the borough is green space.

Map 3 shows the borough boundary and green spaces.

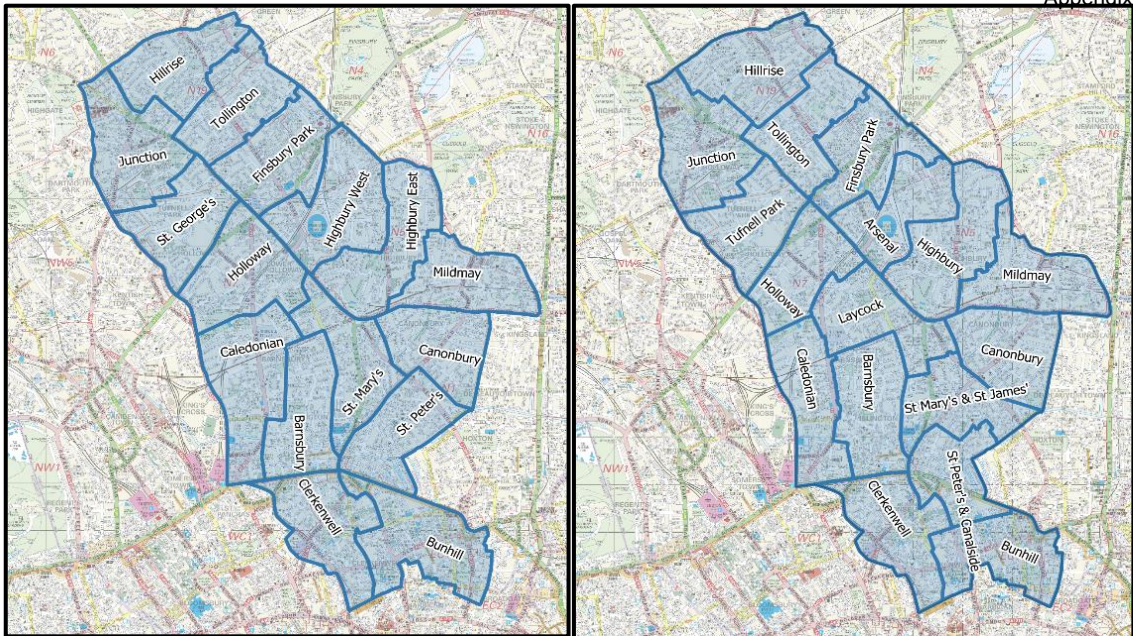
<sup>29</sup> Islington Strategic Plan 2021 <https://democracy.islington.gov.uk/documents/s25785/Appendix%20A%20-%20Strategic%20Plan.pdf?>



Map 3. Google maps search page showing Islington boundary.

- A8. Islington currently has 16 wards. The largest existing wards by area are Caledonian, Bunhill and Highbury West. However, the Local Government Boundary Commission has introduced changes that will take effect from the council elections in May 2022.<sup>30</sup> The changes bring about an increase in the number of wards to 17. The boundaries of all wards will change, with some significant changes resulting in several current wards splitting across two or more new wards. Map 4 shows the ward boundaries before and after the changes. Highbury becomes the largest ward.

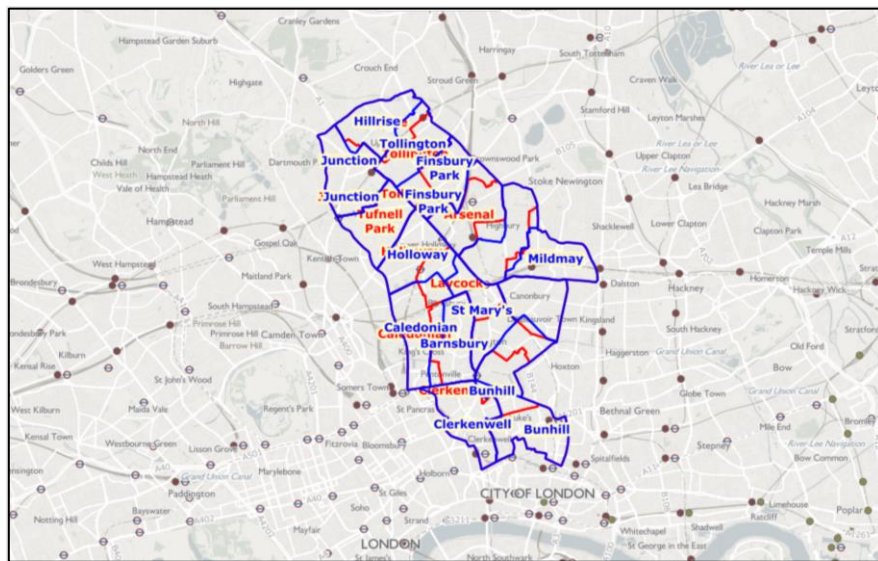
<sup>30</sup> The London Borough of Islington (Electoral Changes) Order 2020 has determined a number of Ward boundary changes which come into effect at the local elections in May 2022.



Map 4. Existing wards (left) and new wards in Islington.

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- A9. Map 5 shows the before and after boundaries overlaid on a single map, with the red being the new ward boundaries and the blue the existing boundaries.



Map 5. New wards overlaid on old wards.

Table 3. New ward names.

New wards
Barnsbury
Bunhill
Caledonian
Canonbury
Clerkenwell
Finsbury Park
Highbury
Arsenal
Hillrise
Holloway
Junction
Mildmay
Tufnell Park
St Mary's & St James'
St Peter's & Canalside
Tollington
Laycock

A10. In terms of geographical area, Figure 1 shows Highbury is the largest new ward, followed by Junction and Hillrise. St. Peter's & Canalside is the smallest new ward.

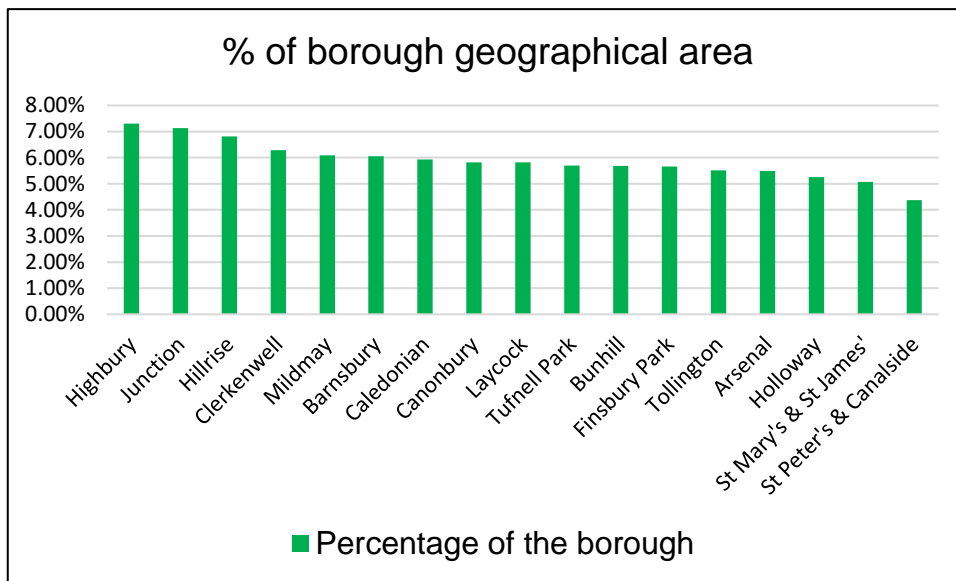


Figure 1. Percentage of geographical area of Islington by ward.

## 8.2 PART B: The London Borough of Islington – Population

- B1. Although the 3<sup>rd</sup> smallest London borough by area, in 2020 Islington was estimated to be the second-most densely populated local authority area in England and Wales,<sup>31</sup> at 2.8 times the London average and more than 38 times the national average.

The estimated population of 242,827 in 2020, which equates to 16,097 people per square kilometre.

Figure 2 below shows the relative population density compared to other London boroughs.<sup>32</sup>

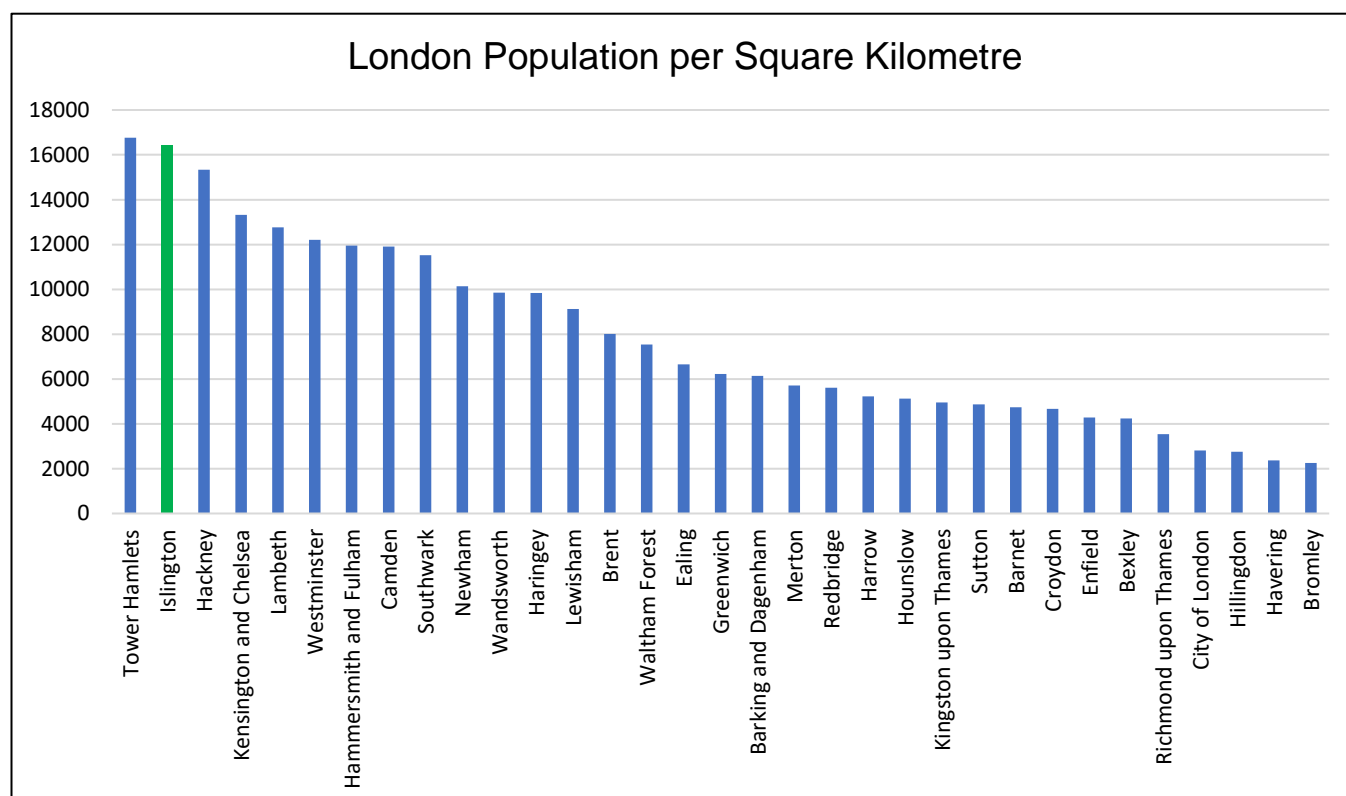


Figure 2. Population density of London boroughs.

- B2. The population of Islington has risen steadily over the last 10 years. In 2009 it was estimated to be 191,821. Table 4 below shows the area of all London boroughs and their population densities.

<sup>31</sup> Land Area and Population Density, Ward and Borough. Published by: Greater London Authority <https://data.gov.uk/dataset/a76f46f9-c10b-4fe7-82f6-aa928471fcd1/land-area-and-population-density-ward-and-borough>

<sup>32</sup> Source - GLA Population Estimates 2021. <https://data.london.gov.uk/dataset/land-area-and-population-density-ward-and-borough>

Table 4. Islington area and population density compared to London.

Borough	Population per square kilometre	Square kilometres
Tower Hamlets	16764.3	19.8
<b>Islington</b>	<b>16448.7</b>	<b>14.8</b>
Hackney	15330.1	19
Kensington and Chelsea	13325	12.1
Lambeth	12765.7	26.8
Westminster	12208.2	21.5
Hammersmith and Fulham	11951.9	16.4
Camden	11902.4	21.8
Southwark	11526.5	28.9
Newham	10137	36.2
Wandsworth	9858.2	34.3
Haringey	9842.8	29.6
Lewisham	9120.4	35.1
Brent	8013.3	43.2
Waltham Forest	7544.5	38.8
Ealing	6655.7	55.5
Greenwich	6228.9	47.3
Barking and Dagenham	6134.3	36.1
Merton	5707.4	37.6
Redbridge	5606.1	56.4
Harrow	5221.4	50.5
Hounslow	5126.1	56
Kingston upon Thames	4955.8	37.3
Sutton	4865.6	43.8
Barnet	4741	86.7
Croydon	4664.1	86.5
Enfield	4288.3	80.8
Bexley	4239.7	60.6
Richmond upon Thames	3541.6	57.4
City of London	2811.4	2.9
Hillingdon	2761.1	115.7
Havering	2367	112.3
Bromley	2261.1	150.1
<b>TOTAL</b>		<b>1,571.9</b>

B3. Population density is only available for existing wards. Density is even, with the most densely populated areas are St. Peters, Finsbury Park, Bunhill and Mildmay wards. Table 5

shows the GLA population and density estimates per Islington ward for 2021. Bunhill has the largest population and Clerkenwell has the smallest population.

Table 5. Population, size, and density of existing Islington wards.

Existing ward	Population	% borough population	Square kilometres	% borough geographical area	Population per square kilometre
St. Peter's	15725	6.4%	0.81	5.5%	19413.58
Finsbury Park	17124	7.0%	0.916	6.2%	18694.32
Bunhill	19598	8.0%	1.089	7.3%	17996.33
Mildmay	14703	6.0%	0.826	5.6%	17800.24
Highbury West	18942	7.8%	1.082	7.3%	17506.47
Tollington	14700	6.0%	0.847	5.7%	17355.37
Holloway	17189	7.0%	1.009	6.8%	17035.68
Barnsbury	14127	5.8%	0.83	5.6%	17020.48
St. George's	14240	5.8%	0.846	5.7%	16832.15
Canonbury	13511	5.5%	0.807	5.4%	16742.26
Hillrise	13475	5.5%	0.825	5.6%	16333.33
St. Mary's	13689	5.6%	0.869	5.8%	15752.59
Caledonian	16768	6.9%	1.138	7.7%	14734.62
Clerkenwell	13121	5.4%	0.935	6.3%	14033.16
Highbury East	14006	5.7%	1.004	6.8%	13950.20
Junction	13453	5.5%	1.028	6.9%	13086.58
<b>TOTAL</b>	<b>244,371</b>		<b>14.861</b>		<b>16,038.00</b>

- B4. Figure 3 shows the population density of existing wards, with St. Peter's ward being the most densely populated and Junction the least populated.

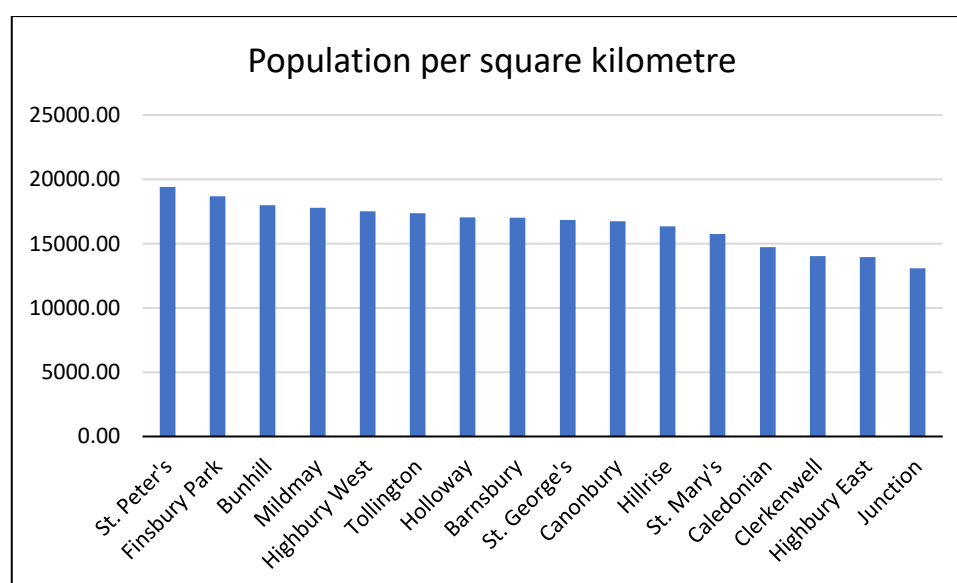


Figure 3. Population of Islington wards per square kilometre.

- B5. Islington's population profile in terms of relationship status is different compared to London and England, with 60% of residents recorded as single compared to 44% in London and



35% in England. The percentage of people recorded as single in Islington increased from 54% in 2001. The equivalent figure was 41% in London and 30% in England in 2001

- B6. The largest category for household composition in Islington is one person households at 31% (2011 Census). This had remained unchanged since 2001 (32%).
- B7. It is estimated that the population of Islington will grow by 3% (7,000 people) between 2020 and 2030.
- B8. Islington has the highest level of child poverty in London (28%) and ranks 4<sup>th</sup> highest in London for poverty among older people.
- B9. Even before the pandemic, Islington ranked the 5th highest in London for loneliness, with 1 in 6 adults living with a diagnosed mental health condition.

## 8.3 PART C: The London Borough of Islington – Housing stock and tenure

C1. The most recent stock condition survey (SCS) in Islington was in 2008<sup>33</sup>. Relevant findings from that stock condition survey were as follows:

- the most common dwelling type was self-contained flats within converted pre-1919 terraced houses;
- around 90% of the PRS was in self-contained flats;
- 62.3% of private sector properties (excluding properties managed by Registered Social Landlords (RSLs) are pre-1919 stock (**Error! Reference source not found.**). This compares with 24.9% nationally and 34.2% in London at that time.

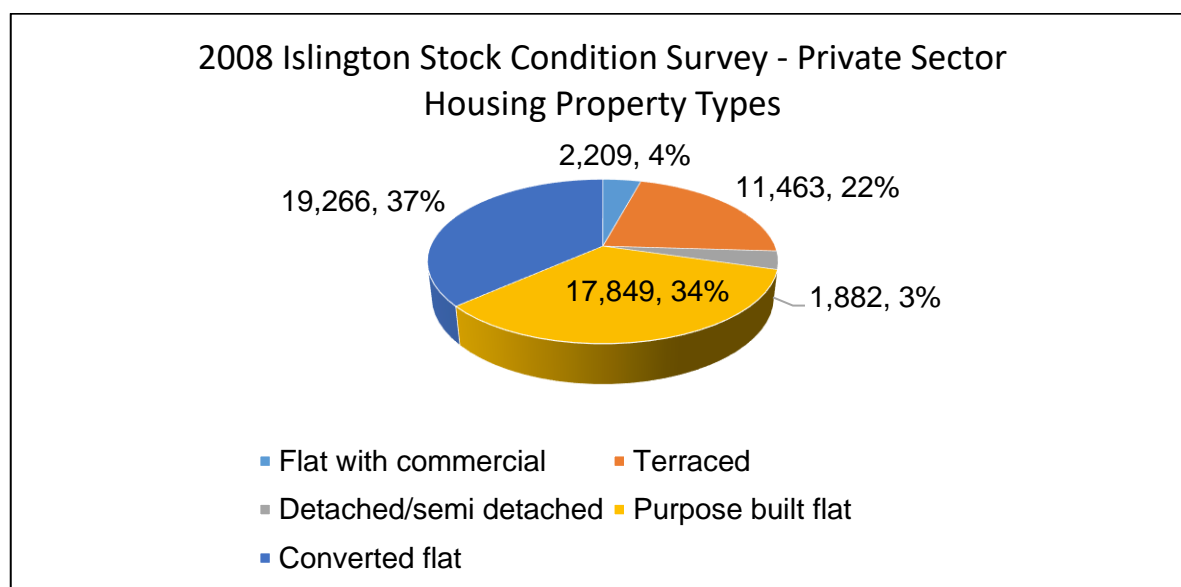


Figure 4. Housing property types – 2008 SCS.

C2. Research for the SCS indicated that:

- 3,547 (15.7%) PRS dwellings had at least one category 1 hazard and 9.5% had a category 2 hazard in band D and 11.2% in bands E to I;
- estimated costs to remedy category 1 hazards in the PRS was an average of £4,407 per dwelling and a borough-wide cost of £15.6m;
- estimated total cost of dealing with disrepair of PRS properties across Islington was £135.8m;
- vulnerable and support needs households in the private sector had considerably higher average basic repair costs at £2,628 and £4,356 per dwelling respectively;
- 29.6% of dwellings in the PRS failed the Decent Homes Standard;
- the average cost of remedying non-decent homes in the PRS was estimated to be £4,628 and for vulnerable households this figure was £6,421;
- 1,585 vulnerable households lived in non-decent accommodation in the PRS, which was 45.8% of all vulnerable households in the PRS;

<sup>33</sup> 2008 Stock Condition Survey. A comprehensive review of private housing in Islington. In partnership with Fordham Research.

- there were 2,653 converted buildings in the borough, containing 8,685 self-contained flats;
- there were 5,512 flats or houses in multiple occupation (Section 254 HMOs);
- in terms of energy efficiency, the average Standard Assessment Procedure (SAP) rating for the PRS in Islington was 61 (out of 100) and older dwellings typically demonstrated lower SAP ratings;
- 22.1% of all private sector households in the borough were in fuel poverty, rising to 35.4% of vulnerable households.

C3. There were 119,429 residential dwelling listed in the Islington Local Land and Property Gazetteer (LLPG) in September 2021.

C4. The 2011 Census showed the proportion of different tenures<sup>34</sup> shown in Table 6. Highbury West had the largest number of residential properties, followed by Bunhill and Holloway. Hillrise had the lowest number. Highbury West had the highest number of privately rented properties at 2,316, whilst Hillrise had the lowest at only 1,021. Wards with the highest level of social renting were Bunhill and Holloway. The wards with the highest level of owner occupation were Highbury East and Highbury West.

Table 6. Tenure of housing stock by ward – Census 2011.

Ward	Owned: Total	Social rented: Total	Private rented: Total	Total stock
Barnsbury	1757	2132	1512	5401
Bunhill	1418	3173	1961	6552
Caledonian	1383	2733	1822	5938
Canonbury	1586	2694	1257	5537
Clerkenwell	1531	2237	1401	5169
Finsbury Park	1413	2711	1996	6120
Highbury East	2156	1629	1368	5153
Highbury West	2047	2339	2316	6702
Hillrise	1665	2294	1021	4980
Holloway	1488	3084	1737	6309
Junction	1605	2443	1449	5497
Mildmay	1598	2739	1360	5697
St George's	1822	2063	1413	5298
St Mary's	1494	2290	1642	5426
St Peter's	1843	2243	1333	5419
Tollington	1758	2538	1629	5925
<b>TOTAL</b>	<b>26,564</b>	<b>39,342</b>	<b>25,217</b>	<b>91,123</b>

<sup>34</sup> <https://www.nomisweb.co.uk/census/2011/ks402ew>

Table 7. Tenure of wards by percentage Census 2011.

<b>Ward</b>	<b>Owned: Total</b>	<b>Social rented: Total</b>	<b>Private rented: Total</b>
<b>Barnsbury</b>	32.5%	39.5%	28.0%
<b>Bunhill</b>	21.6%	48.4%	29.9%
<b>Caledonian</b>	23.3%	46.0%	30.7%
<b>Canonbury</b>	28.6%	48.7%	22.7%
<b>Clerkenwell</b>	29.6%	43.3%	27.1%
<b>Finsbury Park</b>	23.1%	44.3%	32.6%
<b>Highbury East</b>	41.8%	31.6%	26.5%
<b>Highbury West</b>	30.5%	34.9%	34.6%
<b>Hillrise</b>	33.4%	46.1%	20.5%
<b>Holloway</b>	23.6%	48.9%	27.5%
<b>Junction</b>	29.2%	44.4%	26.4%
<b>Mildmay</b>	28.0%	48.1%	23.9%
<b>St George's</b>	34.4%	38.9%	26.7%
<b>St Mary's</b>	27.5%	42.2%	30.3%
<b>St Peter's</b>	34.0%	41.4%	24.6%
<b>Tollington</b>	29.7%	42.8%	27.5%

- C5. Table 8 shows the estimated PRS numbers and density for the new wards. The ward with the greatest density of PRS properties per square kilometre was St. Peter's & Canalside.

Table 8. Density of PRS by Islington ward.

Ward	Private rented properties	Area in sq.km.	PRS density. Properties per sq. km.
Arsenal	2440	0.81	3000
Barnsbury	2010	0.90	2241
Bunhill	2523	0.84	2994
Caledonian	2669	0.88	3039
Canonbury	1695	0.86	1965
Clerkenwell	2259	0.93	2427
Finsbury Park	2489	0.84	2967
Highbury	2061	1.08	1907
Hillrise	1617	1.01	1602
Holloway	2006	0.78	2579
Junction	1844	1.06	1747
Laycock	1587	0.86	1842
Mildmay	2135	0.90	2369
St Mary's & St James'	2057	0.75	2740
St Peter's & Canalside	2032	0.65	3135
Tollington	2404	0.82	2945
Tufnell Park	1814	0.84	2148
<b>TOTAL</b>	<b>35642</b>	<b>14.81</b>	<b>2407</b>

- C6. As a borough with few open spaces, Islington, with 69.8 dwellings per hectare, is the second-most dense London borough for dwellings and over three times the London average and one and a half times the inner London average<sup>35</sup>. There were estimated to be 103,740 dwellings in 2019, only the 20<sup>th</sup> highest in London<sup>36</sup>, although the 2021 LLPG shows 119,429. The dwelling density per ward based upon the Census 2011 is in Table 9.

<sup>35</sup> Department for Levelling Up, Housing & Communities. <https://data.london.gov.uk/dataset/number-and-density-of-dwellings-by-borough>

<sup>36</sup> DCLG. <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

Table 9. Dwelling density per ward. Census 2011.

Ward	Total dwellings	Square kilometres	Dwellings per square kilometre
<b>Highbury West</b>	6702	0.846	7922.0
<b>Holloway</b>	6309	0.81	7788.9
<b>Tollington</b>	5925	0.825	7181.8
<b>Mildmay</b>	5697	0.807	7059.5
<b>Caledonian</b>	5938	0.847	7010.6
<b>Canonbury</b>	5537	0.869	6371.7
<b>Clerkenwell</b>	5169	0.83	6227.7
<b>Bunhill</b>	6552	1.082	6055.5
<b>Hillrise</b>	4980	0.826	6029.1
<b>Barnsbury</b>	5401	0.916	5896.3
<b>St George's</b>	5298	0.935	5666.3
<b>Finsbury Park</b>	6120	1.089	5619.8
<b>St Peter's</b>	5419	1.004	5397.4
<b>St Mary's</b>	5426	1.028	5278.2
<b>Highbury East</b>	5153	1.009	5107.0
<b>Junction</b>	5497	1.138	4830.4
<b>TOTAL</b>	<b>91,123</b>	<b>14.861</b>	<b>6,131.7</b>

- C7. The median rent in Islington for all size lettings between 1 April 2020 and 31 March 2021 was £1,733, which is higher than the average for London at £1,572. The median rent in Islington from 2018-2019 was the 6<sup>th</sup> highest in London.<sup>37</sup>
- C8. In 2019/20, on average, households in the private rented sector spent 32% (including housing benefit) of their income on rent; social renters spent on average, 27%. Some 8% of private renters were either currently in arrears or had been in the previous 12 months, compared with 22% of social renters.<sup>38</sup>
- C9. The PRS has been expanding, not through any significant increase in supply but by replacing owner occupation (down from 3.3% between 2011 and 2016) and meeting the demands of a reduced supply of social housing (down 3%). However, there was a slight reversal towards owner occupation, with a reduction in the PRS from 2017 to 2018 to 29,800 properties, a trend that was reflected across London.<sup>39</sup> Islington had the 12<sup>th</sup> highest number of PRS properties in London in 2018. The PRS represented 27.4% of the housing stock in 2018, up from 25.6% in 2013. Islington has determined the likely percentage of PRS in 2021 to be 29.8%.
- C10. The PRS increased by around 5,700 properties over the period 2013 to 2018, an increase across all housing tenures in Islington, of 15.4%.<sup>40</sup>

<sup>37</sup> Valuation Office Agency, June 2019.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/809641/London.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809641/London.pdf)

<sup>38</sup> English Housing Survey 2019/20.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/945013/2019-20\\_EHS\\_Headline\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945013/2019-20_EHS_Headline_Report.pdf)

<sup>39</sup> Office for National Statistics. Housing Tenure by Borough. <https://data.london.gov.uk/dataset/housing-tenure-borough>

<sup>40</sup> Office for National Statistics. Housing Tenure by Borough. <https://data.london.gov.uk/dataset/housing-tenure-borough>

- C11. According to the 2011 Census, every ward in Islington had greater than 20% of the properties in the PRS, ranging from 20.5% in Hillrise ward to 34.56% in Highbury West ward. Current data indicates the new Hillrise ward has 22.5% and the new Caledonian ward is now the highest at 41.2%.
- C12. 34% of Islington's population live in social housing, compared to 22.3% across London. This is the third highest percentage in London (2018).<sup>41</sup>
- C13. Islington Council owns and manages more than 35,400 council properties. In May 2018, the stock comprises 25,349 tenanted and approximately 11,000 leasehold properties. It was suspected that 889 of these are sublet and between April 2015 and March 2021 and possession was obtained for subletting 346 properties.
- C14. Partners for Improvement in Islington manage 6,342 tenanted and leasehold street properties and 3,103 properties are managed by Tenant Management Organisations
- C15. There were 29,161 housing benefit claimants in Islington in 2021, with a total of 1,727 confirmed to be in the PRS and a further 460 claimants living out of borough. Figure 5 shows the number of claimants per new ward. The highest number of claimants are in Finsbury Park and Tollington wards.

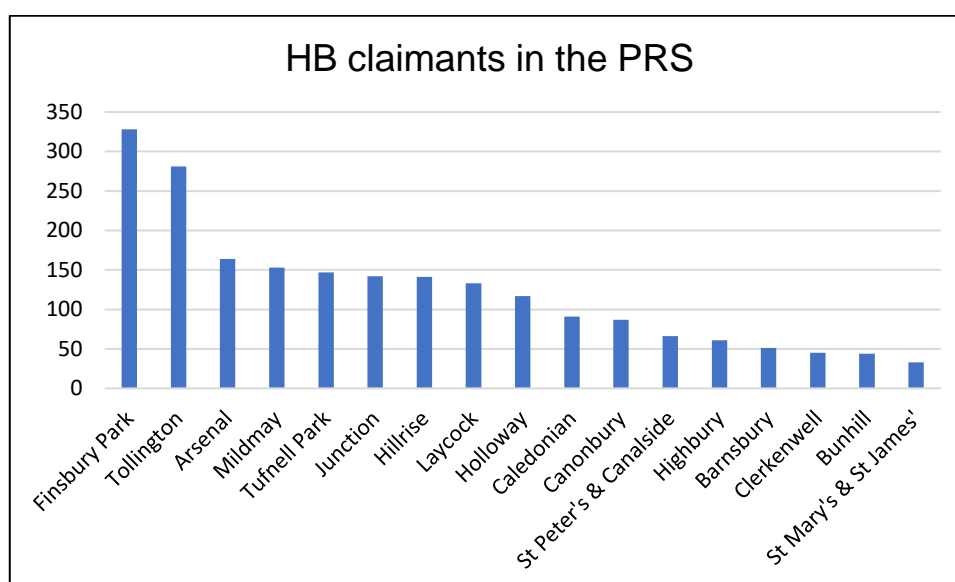


Figure 5. Housing benefit claimants in the PRS by ward.

### Property age profile

- C16. Older properties tend to have the greatest problems relating to housing conditions and disrepair. Around 49% of dwellings in Islington were built pre-1939. Table 10 shows the number of properties across different build periods.<sup>42</sup>

<sup>41</sup> Office for National Statistics. Housing Tenure by Borough. <https://data.london.gov.uk/dataset/housing-tenure-borough>

<sup>42</sup> <https://data.london.gov.uk/dataset/property-build-period-isoa>

Table 10. Number of properties in Islington in different build periods.

Build period	Number of properties
Pre 1900	38,360
1900 to 1918	8,060
1919 to 1929	1,450
1930 to 1939	3,000
1945 to 1954	5,610
1955 to 1964	6,250
1965 to 1972	7,100
1973 to 1982	10,740
1983 to 1992	2,410
1993 to 1999	3,160
2000 to 2009	9,790
2010 to 2012	3,980
Unknown	3,730
<b>TOTAL</b>	<b>103,640</b>

C17. Figure 6 shows the cumulative total of all dwelling build periods by existing ward. Pre-1900 is by far the most common build period, with more in this age band than any other across every ward. Barnsbury, Clerkenwell, Finsbury Park, Highbury East, Highbury West, Mildmay, St. George's, St. Mary's and Tollington each have over 3,000 pre-1945 properties.

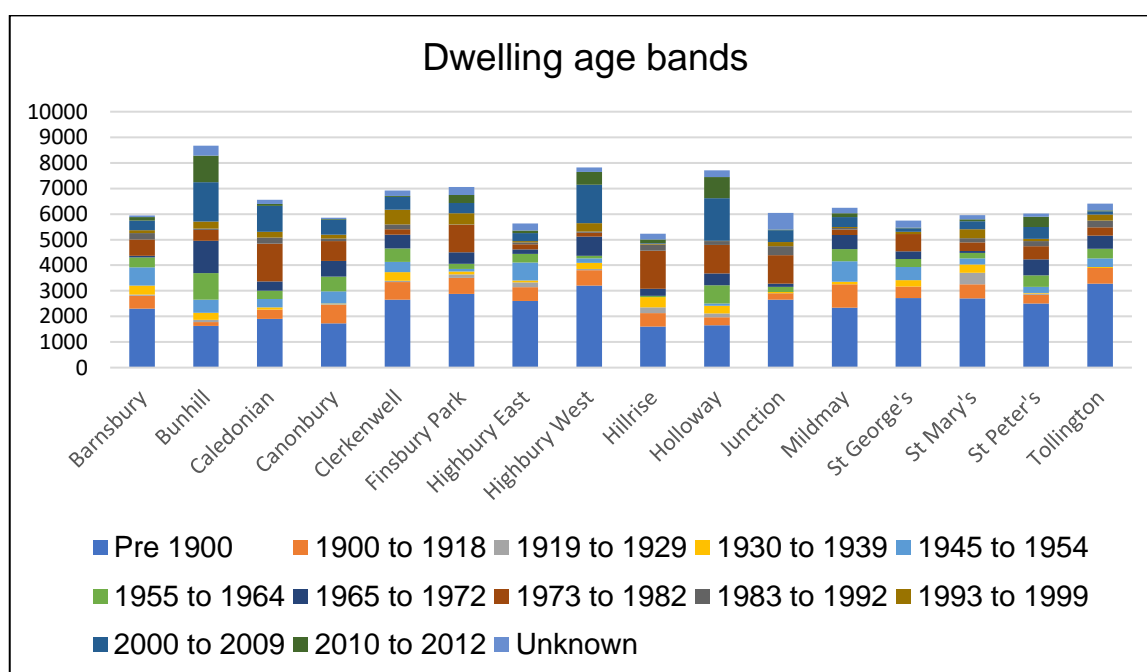


Figure 6. Dwelling age bands per ward.

C18. Figure 7 shows the percentage of all dwellings per ward that were built pre-1945. Ten out of sixteen wards have over 50% of dwellings in these older age bands. Clearly the property profile across Islington is one of older properties. The link between older properties and higher levels of disrepair leads us to believe that there are high numbers of properties across the borough that are likely to have issues of disrepair, including those in the PRS.



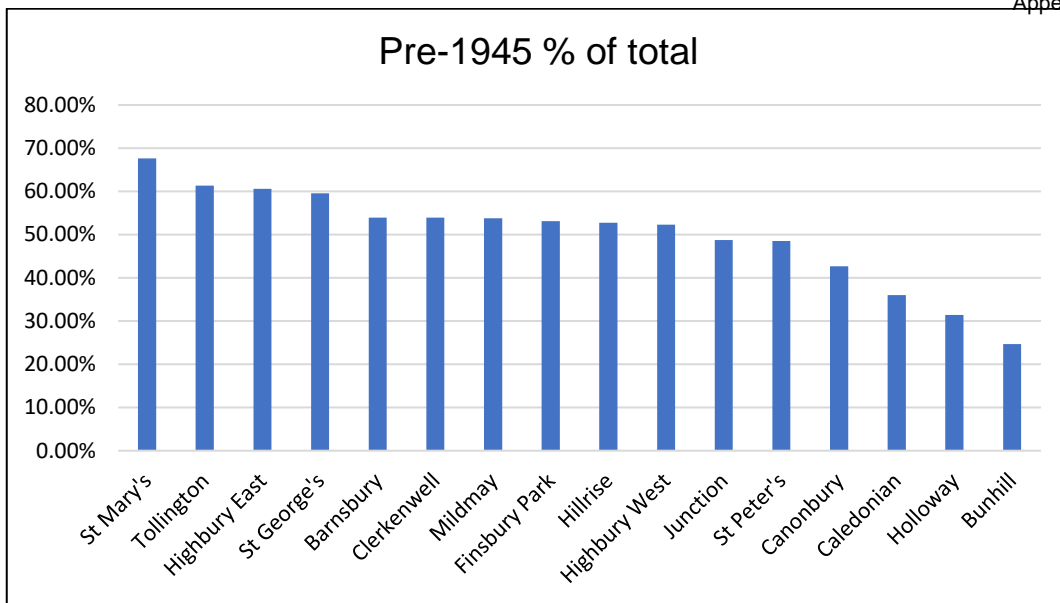
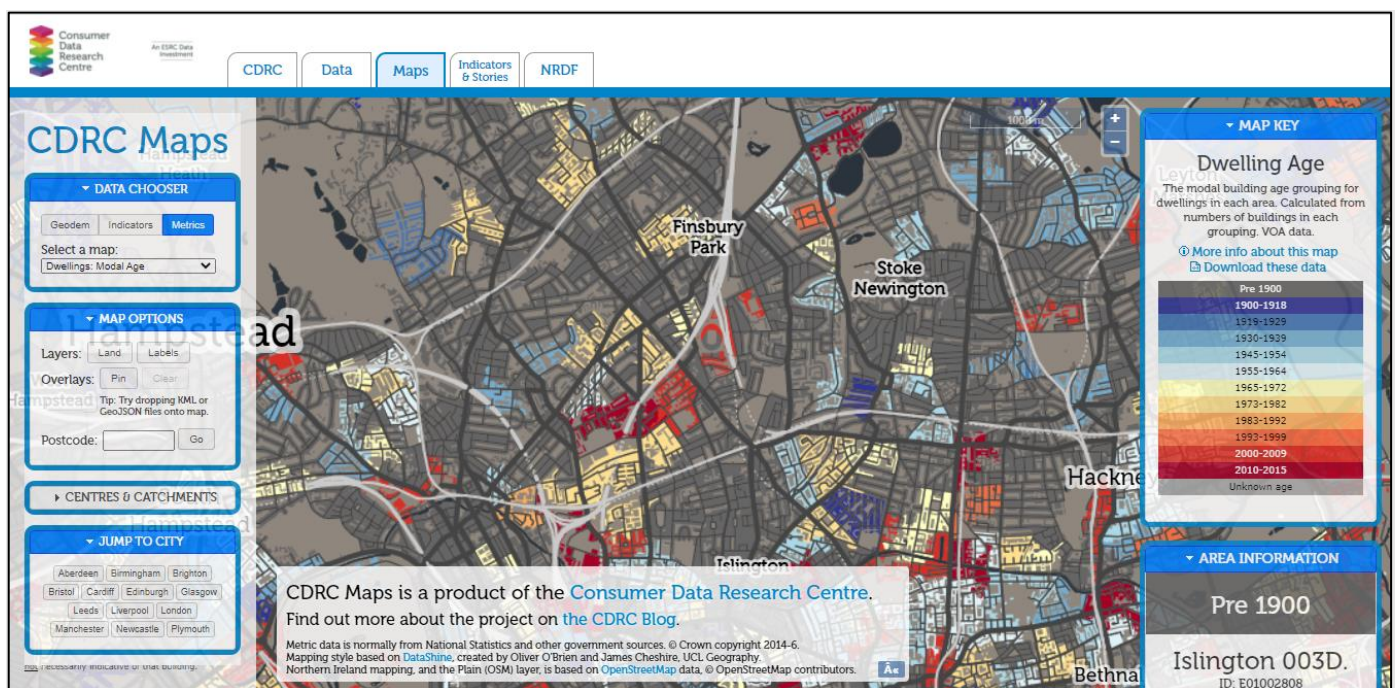


Figure 7. Pre-1945 properties by ward.

C19. Data from the Consumer Data Research Centre<sup>43</sup> provides dwelling age indication on maps. Map 6 shows pre-1900 dwellings in dark grey. There significant areas of dark grey across the localities that include Junction, Hillrise, Tollington, Tufnell Park and Arsenal Wards. Indeed, dark grey is the most common shading in all these wards. Holloway and Caledonian have less pre-1900 properties by comparison, but still had 1,660 and 1,910 properties respectively in the 2011 Census.



Map 6. CDRC Map indicating dwelling age to the north of the borough.

<sup>43</sup> <https://maps.cdrc.ac.uk/#/metrics/dwellingage/default/BTTTTFT/14/-0.1157/51.5598/>

## Identification of the PRS

- C20. The PRS is made up of houses in multiple occupation (HMOs) and other privately rented properties let to single families and those occupied by no more than two persons who do not form a single household. For the purposes of this consultation report, a PRS property that is not an HMO is described as a Single Family Occupied property (SFO) and this description will also include properties occupied by two households.
- C21. To estimate the current size and location of PRS properties the 2011 Census data has been used as a baseline dataset and supplemented by:
- council records, such as housing benefit, council tax and electoral registration;
  - the three national registered tenancy deposit schemes (TDS);
  - properties on the Environmental Health database that have already had some form of intervention from the council.

## Identification of HMOs

- C22. To identify the numbers of SFOs that any selective licensing scheme would apply to, it is necessary to identify which PRS properties are HMOs. Potential HMOs were identified from the following sources:
- the HMO licence register and applications database
  - TDS records with three or more deposits held for one address
  - council tax records of properties exempt due to being occupied by persons in full time education and where there are three or more different surnames on the Electoral Register (likely student lets)
  - TDS records where there are three or more different surnames on the Electoral Register
  - other council data sources.
- C23. Analysis of the data sets shows that there are approximately **6151** HMOs in the borough.
- C24. Table 11 shows the estimated numbers of privately rented properties that are HMOs in each of the new ward boundaries and the percentage of dwellings that are estimated to be HMOs in each ward.

Table 11. Estimated numbers of HMOs.

Ward	Estimated number of HMOs	Total housing stock	Percentage of HMO
Tollington	577	7174	8.0%
Finsbury Park	447	7652	5.8%
Highbury	443	7043	6.3%
Arsenal	423	6818	6.2%
Mildmay	423	7279	5.8%
Hillrise	421	7190	5.9%
Tufnell Park	420	6601	6.4%
Junction	378	7070	5.4%
Canonbury	354	6644	5.3%
St Mary's & St James'	348	6635	5.2%
Caledonian	344	6475	5.3%
Holloway	330	6729	4.9%
Barnsbury	285	6700	4.3%
Laycock	272	6532	4.2%
St Peter's & Canalside	235	8204	2.9%
Clerkenwell	232	7056	3.3%
Bunhill	219	7627	2.9%
<b>TOTAL</b>	<b>6,151</b>	<b>119,429</b>	<b>5.2%</b>

### Identification of SFOs

- C25. The estimated number of SFO properties were identified using the following sources:
- housing benefit records where the property is identified as privately rented
  - TDS records with no more than two deposits held for the address
  - other council data sources
  - Environmental Health database of complaints and intervention
- C26. The analysis of the data indicates that there are an estimated **29,491** SFOs in the borough. The LLPG holds records of 119,429 residential addresses, so the number of potentially SFO private rented properties is approximately **24.7%** of the dwelling stock in the borough.
- C27. Table 12 shows the numbers of the identified potential SFOs by new ward. The greatest numbers are in Caledonian Ward.

Table 12. Number of potential SFOs by ward.

Ward	Estimated number of SFO's	Total housing stock
Arsenal	2017	6818
Barnsbury	1725	6700
Bunhill	2304	7627
Caledonian	2325	6475
Canonbury	1341	6644
Clerkenwell	2027	7056
Finsbury Park	2042	7652
Highbury	1618	7043
Hillrise	1196	7190
Holloway	1676	6729
Junction	1466	7070
Laycock	1315	6532
Mildmay	1712	7279
St Mary's & St James'	1709	6635
St Peter's & Canalside	1797	8204
Tollington	1827	7174
Tufnell Park	1394	6601
<b>TOTAL</b>	<b>29,491</b>	<b>119,429</b>

- C28. The estimated number of HMO's and SFOs indicates that there are **35,642** properties that are privately rented. There were 25,217 in the 2011 Census which suggest that there has been an increase in the numbers of PRS properties of some 10,425 (41.3%). The PRS, including HMOs amounts to **29.8%** of all housing stock in the borough.
- C29. Table 13 compares the estimated number of PRS properties (both SFOs and HMOs) with the data from the 2011 Census, and the percentage change. All data is based on existing ward boundaries. Every has seen at least a 17% increase in PRS. Caledonian Ward has seen the largest increase at 71%. There has been an overall increase of 41.34% in the numbers of PRS properties in 10 years.

Table 13. Comparison of 2021 PRS with 2011 Census.

Ward	Potential HMOs	Potential SFOs	Total potential PRS 2021	PRS Census 2011	PRS Percentage change
Barnsbury	254	1551	1805	1512	19.4%
Bunhill	316	3029	3345	1961	70.6%
Caledonian	417	2699	3116	1822	71.0%
Canonbury	322	1287	1609	1257	28.0%
Clerkenwell	234	2016	2250	1401	60.6%
Finsbury Park	569	2423	2992	1996	49.9%
Highbury East	392	1507	1899	1368	38.8%
Highbury West	548	2548	3096	2316	33.7%
Hillrise	323	872	1195	1021	17.0%
Holloway	398	1988	2386	1737	37.4%
Junction	366	1440	1806	1449	24.6%
Mildmay	405	1517	1922	1360	41.3%
St George's	420	1394	1814	1413	28.4%
St Mary's	352	1863	2215	1642	34.9%
St Peter's	326	1786	2112	1333	58.4%
Tollington	509	1571	2080	1629	27.7%
<b>TOTAL</b>	<b>6,151</b>	<b>29,491</b>	<b>35,642</b>	<b>25,217</b>	<b>41.3%</b>

### 2018 Property Survey

- C30. In addition to the analysis of council data sources as a means of identifying how many PRS properties there are in Islington, a physical survey was conducted during 2018 to provide some direct evidence of both the numbers of PRS properties and also the condition of the properties and any problems associated with them.
- C31. The existing Finsbury Park ward was selected for this survey – a ward where there was a known high level of PRS properties from the 2011 Census and one that was also known to have high levels of property complaints. Later in this consultation document, the findings of this survey are used to extrapolate likely numbers of PRS properties that may have problems associated with them.
- C32. The survey identified a total of 338 properties for investigation, selected at random, based upon a list produced from council tax records that indicated likely PRS (a total of 1,443 properties) and from a list of properties registered with one of the tenancy deposit schemes.
- C33. Of the 328 properties surveyed, entry was gained to a total of 114 PRS properties. For these properties, a survey form was completed to gather data such as tenure, occupancy and any problems associated with the property. For those properties where entry was not gained, an external assessment was used to identify where possible the tenure and any external problems, such as disrepair, general condition, and any refuse within the curtilage.
- C34. As previously mentioned earlier in this document, the existing Finsbury Park ward was subsequently designated for a selective licensing scheme. Table 14 shows the break-down of the tenure/occupancy type of the properties found in the survey and the projected

number across the ward, based upon the total number of dwellings identified in the 2011 Census for Finsbury Park, where 1,996 out of . (This is based upon the existing Finsbury Park ward boundary.)

Table 14. Number of property types in Finsbury Park survey and projected total numbers.

Number of properties surveyed: 328

Number of properties where entry gained or data gathered: 314

	Number identified	Percentage of sample where data gathered	Projected number for ward based upon Housing Stock (2011 Census)
HMOs identified S254	30	9.5%	581
HMOs identified S257	33	10.5%	643
SFO PRS properties - not HMO	114	36.3%	2,222
Owner occupied or other	137	43.6%	2,668

C35. Looking at the 2021 PRS analysis for the existing ward of Finsbury Park, the number of S254 HMOs estimated from the survey appears to be accurate. The SFO projection for Finsbury Park from the survey appears to be a slight underestimate, with the 2021 PRS analysis indicating around 2,423 SFOs.

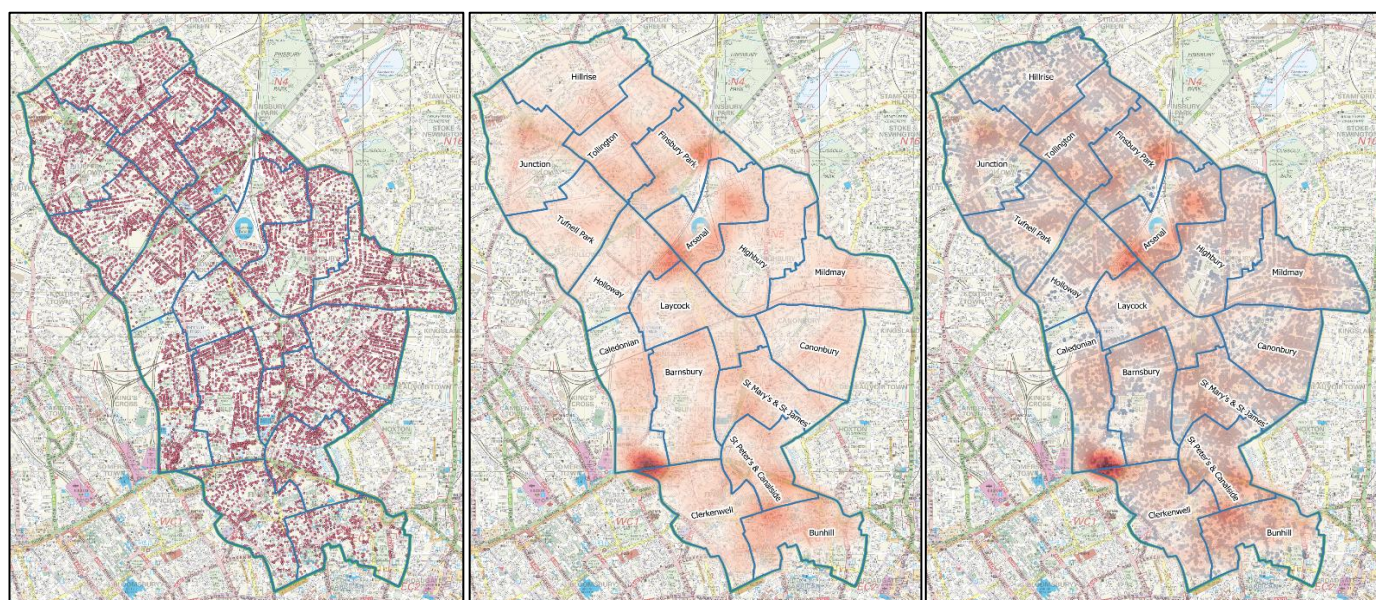
#### **Total PRS 2021 Estimate**

C36. Table 15 shows the predicted number of PRS properties per new ward established from the PRS analysis alongside the number of dwellings recorded on the council's local land and property gazetteer (LLPG). The overall percentage of PRS for Islington is estimated to be 29.84%, with Caledonian ward having the highest at 41.22% and Hillrise ward the lowest at 22.49%.

Table 15. Potential PRS properties and percentage per new ward.

Ward	Potential PRS	Total Dwellings (LLPG)	PRS %
Arsenal	2440	6818	35.8%
Barnsbury	2010	6700	30.0%
Bunhill	2523	7627	33.0%
Caledonian	2669	6475	41.2%
Canonbury	1695	6644	25.5%
Clerkenwell	2259	7056	32.0%
Finsbury Park	2489	7652	32.5%
Highbury	2061	7043	29.3%
Hillrise	1617	7190	22.5%
Holloway	2006	6729	29.8%
Junction	1844	7070	26.0%
Laycock	1587	6532	24.3%
Mildmay	2135	7279	29.3%
St Mary's & St James'	2057	6635	31.0%
St Peter's & Canalside	2032	8204	24.8%
Tollington	2404	7174	33.5%
Tufnell Park	1814	6601	27.5%
<b>TOTAL</b>	<b>35,642</b>	<b>119,429</b>	<b>29.8%</b>

C37. Map 7 shows the distribution of the PRS identified through this analysis as heat maps set on the new ward boundaries. The left-hand map shows the PRS properties as red dots. The middle map shows the concentrations of properties with orange shading as a heat map indicating the level of concentration of cases. The right-hand map shows the heat map overlaid on the dots. It should be noted that multiple dwellings in one building result in dots upon dots. The 'hot' area in the heat map in the south of Caledonian ward is due to multiple student accommodation buildings.



Map 7. Potential PRS mapped on new wards.

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## 8.4 PART D: Proportion of property in the PRS

- D1. To show that the proportion of property in the private rented sector is a relevant criterion for the area proposed for a selective licensing designation, it must be demonstrated that the area has a high proportion of property in the private rented sector.<sup>44</sup>
- D2. Guidance suggests that a high proportion of PRS properties would be more than the average proportion in the most recent English Housing Survey. The current English Housing Survey puts the national average of PRS properties at 19%.<sup>45</sup> Therefore, if privately rented properties account for greater than 19% of the total housing stock, the area can be considered as having a high proportion of PRS.
- D3. Looking at the profile of the borough, from the 2011 Census<sup>46</sup>, the whole borough contained 27.46% PRS. Table 16 shows the number and percentage of PRS properties per ward as per the 2011 Census.

Table 16. Number and percentage of PRS by ward - Census 2011

Ward	PRS - Number 2011 Census	Total Dwellings	PRS - % 2011 Census
Barnsbury	1512	5401	28.0%
Bunhill	1961	6552	29.9%
Caledonian	1822	5938	30.7%
Canonbury	1257	5537	22.7%
Clerkenwell	1401	5169	27.1%
Finsbury Park	1996	6120	32.6%
Highbury East	1368	5153	26.6%
Highbury West	2316	6702	34.6%
Hillrise	1021	4980	20.5%
Holloway	1737	6309	27.5%
Junction	1449	5497	26.4%
Mildmay	1360	5697	23.9%
St George's	1413	5298	26.7%
St Mary's	1642	5426	30.3%
St Peter's	1333	5419	24.6%
Tollington	1629	5925	27.5%
<b>TOTAL</b>	<b>25,217</b>	<b>91,123</b>	<b>27.67%</b>

- D4. Breaking the borough down into wards, every ward had greater than 19% PRS, ranging from 20.5% in Hillrise ward to 34.56% in Highbury West ward, meaning that every ward could individually be considered for designation.
- D5. The analysis of likely PRS properties in [Part C](#) identified 29.8% PRS when compared against the number of dwellings on the LLPG. **Error! Reference source not found.** shows the numbers and percentages of PRS by existing ward from that estimation.

<sup>44</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 - Article 3 (1) (a)

<sup>45</sup> English Housing Survey 2019-20

<sup>46</sup> <https://www.nomisweb.co.uk/census/2011/ks402ew>



Table 17. Analysis of percentage of PRS per existing ward - 2021 estimate

Ward	Private Rented - 2021 estimate	Total Dwellings - 2021 estimate	PRS % - 2021 estimate
Barnsbury	1805	6449	28.0%
Bunhill	3345	11187	29.9%
Caledonian	3116	8139	38.3%
Canonbury	1609	6270	25.7%
Clerkenwell	2250	6919	32.5%
Finsbury Park	2992	8697	34.4%
Highbury East	1899	6334	30.0%
Highbury West	3096	8873	34.9%
Hillrise	1195	5728	20.9%
Holloway	2386	8665	27.5%
Junction	1806	6882	26.2%
Mildmay	1922	6743	28.5%
St George's	1814	6601	27.5%
St Mary's	2215	6904	32.1%
St Peter's	2112	8069	26.2%
Tollington	2080	6969	29.9%
<b>TOTAL</b>	<b>35,642</b>	<b>119,429</b>	<b>29.8%</b>

- D6. Table 18 presents the PRS percentage against the new wards. Taking Finsbury Park ward as an example, the ward boundary changes result in the number of both total dwellings and PRS properties reducing compared with the existing boundaries in [Error! Reference source not found.](#) above. The percentage of PRS in this ward also reduces under the new boundaries. On the other hand, for example, for Hillrise ward, the number of total dwellings and PRS increases under the new ward boundaries and the percentage of PRS also increases. These variations are seen across the borough due to the boundary changes and the increase in number of total wards.

Table 18. Analysis of percentage of PRS per new ward.

Ward	Private Rented	Total Dwellings (LLPG)	PRS %
Arsenal	2440	6818	35.8%
Barnsbury	2010	6700	30.0%
Bunhill	2523	7627	33.1%
Caledonian	2669	6475	41.2%
Canonbury	1695	6644	25.5%
Clerkenwell	2259	7056	32.0%
Finsbury Park	2489	7652	32.5%
Highbury	2061	7043	29.3%
Hillrise	1617	7190	22.5%
Holloway	2006	6729	29.8%
Junction	1844	7070	26.1%
Laycock	1587	6532	24.3%
Mildmay	2135	7279	29.3%
St Mary's & St James'	2057	6635	31.0%
St Peter's & Canalside	2032	8204	24.8%
Tollington	2404	7174	33.5%
Tufnell Park	1814	6601	27.5%
<b>TOTAL</b>	<b>35,642</b>	<b>119,429</b>	<b>29.8%</b>

- D7. The following designation is being considered against the 2021 PRS analysis undertaken for this consultation according to the new ward boundaries.
- D8. Table 19 shows the expected percentage of PRS in the designation, the new wards of Finsbury Park, Hillrise and Tollington, using the 2021 PRS analysis. These wards are both individually and collectively above 19% PRS. At just under 30% this area has a high percentage of PRS properties.

Table 19. Percentage of PRS in the proposed Designation 1.

New ward	Number of expected PRS properties	Total dwellings on LLPG	PRS as % of total housing in ward area
Finsbury Park	2489	7652	32.5%
Hillrise	1617	7190	22.5%
Tollington	2404	7174	33.5%
<b>Combined</b>	<b>6,510</b>	<b>22,016</b>	<b>29.6%</b>

### Proportion of property in PRS - Conclusions

- D9. Analysis of the recently gathered PRS analysis demonstrates that each of the proposed designation areas and the wards within them individually have greater than 19% PRS and so are suitable for designation in accordance with Article 3 (1) (a) of the Selective Licensing of Houses (Additional Conditions) (England) Order 2015.

## 8.5 PART E: Poor Property Conditions

- E1. To show that poor property conditions is a relevant criterion for the designation of a selective licensing scheme, it must be demonstrated that the local housing authority considers it would be appropriate for a considerable number of the properties referred to in article 3(1)(a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises. The local housing authority must intend to carry out such inspections with a view to carrying out any necessary enforcement action<sup>4748</sup>
- E2. The guidance<sup>49</sup> suggests that a significant number of properties in the private rented sector should be in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. Authorities should consider the following factors to help determine whether there are poor property conditions in their area:
- the age and visual appearance of properties in the area and that a high proportion of those properties are in the private rented sector;
  - a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards (more than a small number, although it does not have to be a majority of the private rented stock in the sector).
- E3. In terms of the age of properties, the Census 2011 indicated that 45% of properties in Islington were built before 1919. The English Housing Survey 2019-2020 shows that in England the private sector had the highest proportion of older dwellings with 23% of properties being built pre-1919. Islington therefore has a significantly higher proportion of older properties, which tend to suffer more issues in terms of poor conditions. With an average level of private renting in Islington at almost 30%, it is reasonable to predict that there is a high proportion of those properties that are older and so in poor condition. Indeed, 45% of the projected private sector in Islington would mean 16,039 pre-1919 properties being privately rented. The full analysis of the age profile of dwellings can be found in [Part C](#), paragraphs C16 – C19 and the levels of private renting in [Part C](#), paragraph C36.
- E4. In order to establish if there are a significant number of properties that need to be inspected for category 1 or 2 hazards, the council first looked at the following available data from between the period September 2014 and March 2020. The end date was selected because inspection activity after March 2020 was severely impacted by the pandemic and so is not representative and data could be distorted.
- E5. The council's database was used to review the information available about the condition of private rented properties:
- the numbers and proportions of complaints about the condition of private rented properties, looking at;
    - disrepair etc. including overcrowding

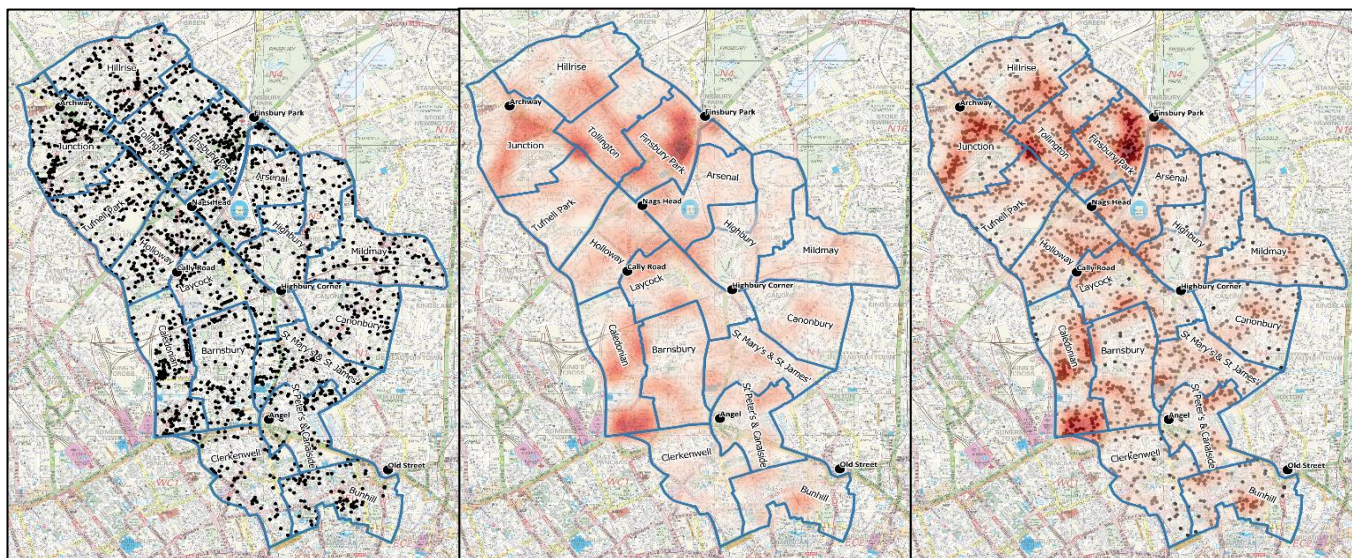
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<sup>48</sup> Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – Article 4 (a)

<sup>49</sup> Department for Communities and Local Government. Selective licensing in the private rented sector A Guide for local authorities

- nuisance affecting both occupiers and neighbouring premises, including pests, rubbish, and drainage;
- the numbers and proportions of category 1 and 2 hazards found;
- the numbers and proportions of properties requiring enforcement actions;
- the numbers and proportions of properties where enforcement notices were served;
- projections based upon the findings of the 2018 Finsbury Park ward survey.

E6. **Error! Reference source not found.** shows the distribution of all known SFOs that have had a complaint, inspection, or enforcement, mapped on the new ward boundaries. The left-hand map shows the cases in black dots. The middle map shows the concentrations of cases, with orange shading as a heat map, the darkest areas are those with the highest concentration. The right-hand map shows the heat map overlaid on the dots. It can be seen the greatest concentrations are to the north and west of the borough.



Map 8 All SFO properties that have had a complaint, inspection, or enforcement on the EH database, mapped on new wards.

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## Complaints

- E7. Between September 2014 and March 2020, the council received **3,168** complaints about poor housing conditions in the PRS. A rate of approximately 10% of the PRS, based upon 2011 Census numbers of PRS properties.
- E8. Table 20 shows the number of complaints received across the borough during this period. Although it has fluctuated and decreased in 2017/18, there are persistently around 500 plus complaints across the borough.

Table 20. Total number of complaints 2014-2020.

Year	Number of complaints received
2014 (Sep-Dec)	258
2015	574
2016	523
2017	516
2018	566
2019	568
2020 (Jan-Mar)	163
<b>Average per annum</b>	<b>549</b>
<b>Total (5 years 7 months)</b>	<b>3,168</b>

E9. Figure 8 shows the combined total number of property complaints per ward. The borough average number of complaints was 186 per ward which is shown as the green horizontal line. Finsbury Park, Junction, Caledonian, Tollington, Laycock, Hillrise, Arsenal and Holloway were either average or above average. In each ward 'condition of housing' was by far the most frequent type of complaint, accounting for 71%, with complaints about 'pests' the second highest at 8.2%.

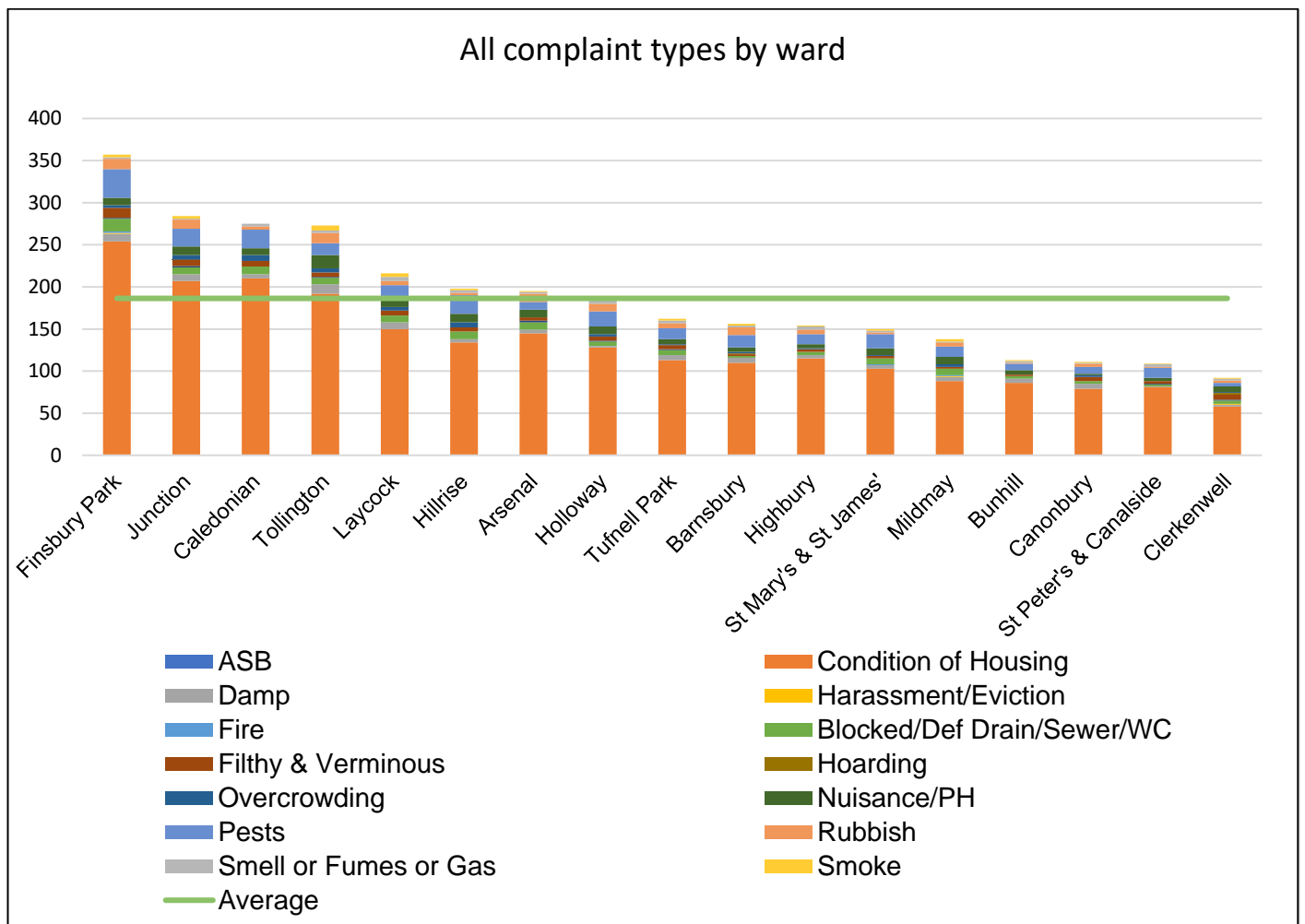


Figure 8. Total number of complaints by ward.

## Complaints about disrepair, damp, fire and overcrowding

- E10. **2,390** complaints were made about disrepair, damp, fire and overcrowding at **2,005** unique addresses. Of these complaints, in **1,985** cases the investigating officer identified an issue that required follow up action, ranging from informal advice to formal action such as serving statutory notices or prosecution. A further 49 properties were still under investigation and had no outcome recorded at the time of the data analysis. However, based upon those that did have an outcome recorded, there were **83%** of complaints that required some action, even if it was resolved informally. **906** cases required some form of formal intervention, meaning that **38%** of all properties complained about in relation to poor conditions resulted in a formal action.
- E11. Figure 9 shows the number of all complaints about conditions (property condition, damp, overcrowding and fire) by ward. The seven wards of **Finsbury Park, Caledonian, Junction, Tollington, Laycock, Arsenal and Hillrise** (highlighted red) were above the average of 140 complaints per ward.

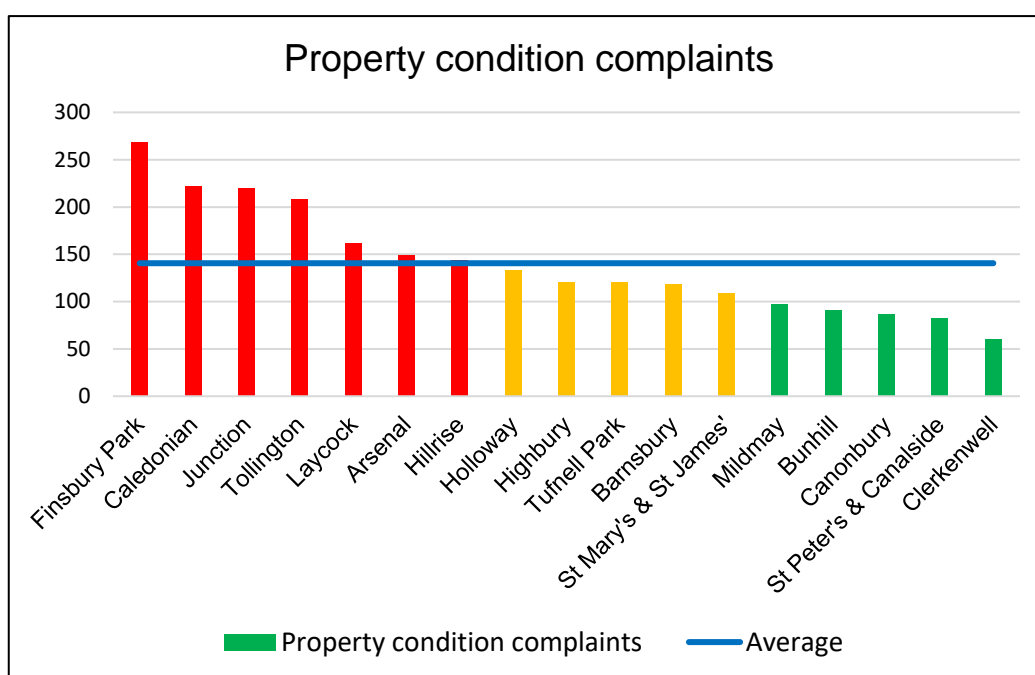


Figure 9. Property condition complaints by ward, including disrepair, damp, overcrowding and fire.

- E12. Figure 10 shows the condition complaints by ward for unique addresses. The average is 117 addresses per ward, with the same seven wards above average (highlighted red). Finsbury Park had 39 properties with repeat complaints, down to St. Mary's & St. James' with 21 repeats.

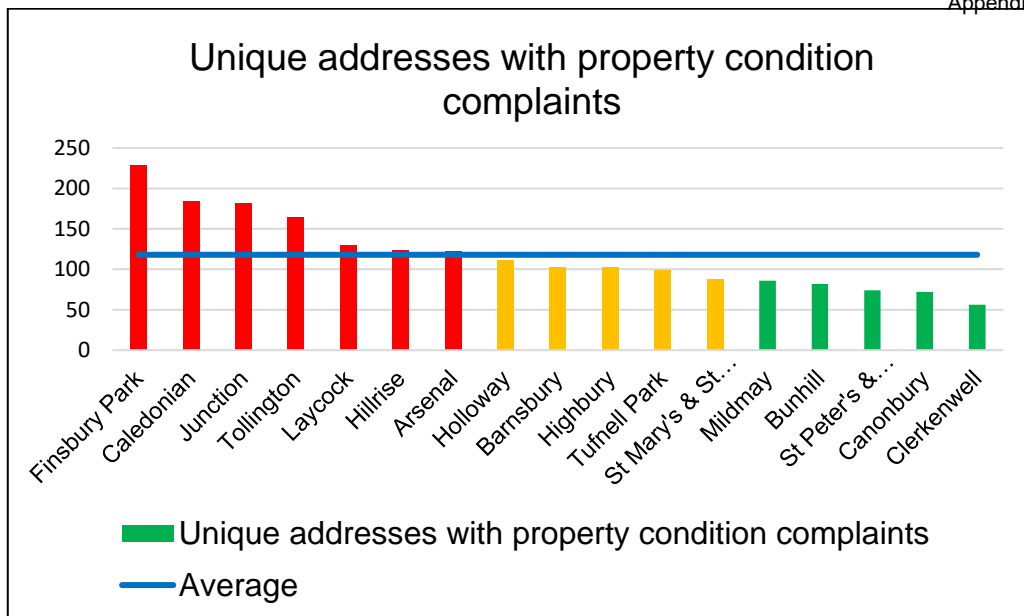


Figure 10. Unique addresses with property condition complaints by ward.

- E13. Following inspection in response to a complaint, if an issue is identified that requires rectification, the council will take follow up action. Follow-up action can take the form of informal advice or warnings, to service of statutory notices requiring works, and/or prosecution. Of the 83% of complaints where some action was required, the number of cases per ward is shown in Figure 11. The average number of cases requiring landlord action was 116 per ward (blue horizontal line).
- E14. Finsbury Park, Caledonian, Junction, Tollington, Laycock, Hillrise and Arsenal (highlighted red) above average.

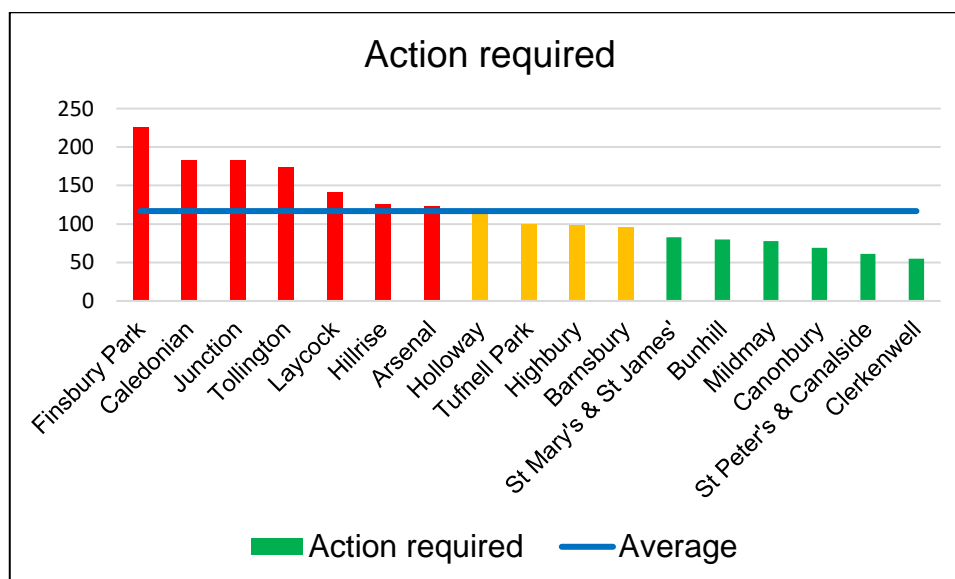


Figure 11. Number of property condition complaints requiring either formal or informal action to rectify an issue, per ward.

- E15. Figure 12 shows the number of cases resulting in formal action, such as the service of an Improvement Notice or prosecution per ward. The average number of cases resulting in formal action was 53 per ward (blue horizontal line).

E16. **Finsbury Park, Junction, Tollington, Caledonian, Laycock, Hillrise and Arsenal** (highlighted red) were at or above average for the number of cases.

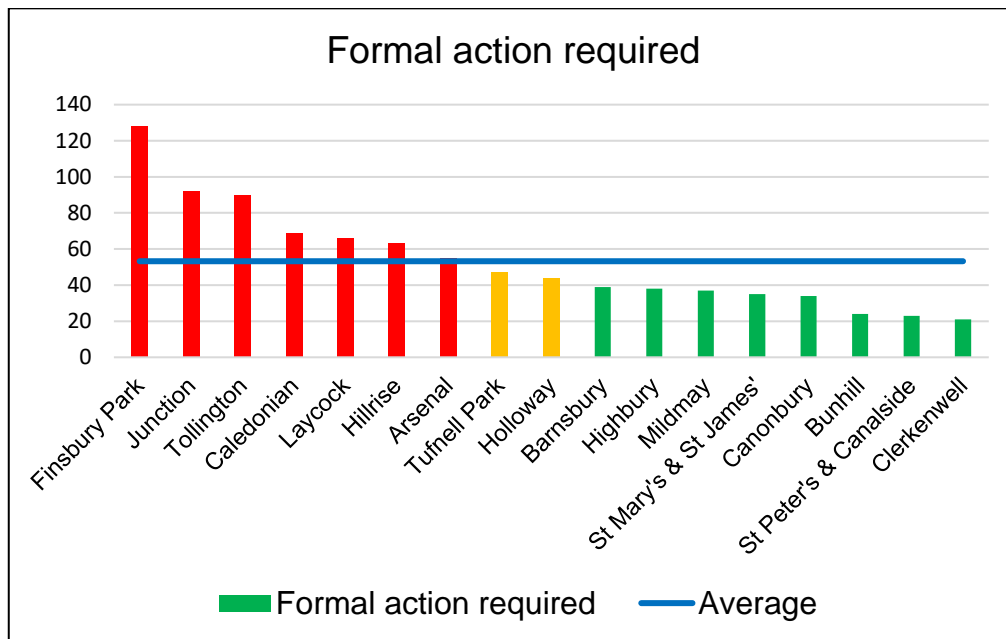


Figure 12. Cases of property condition complaints that led to formal action.

E17. Table 21 shows a summary of property condition data by ward. The wards that were at or above average for the different data sets analysed are highlighted in red. The wards that were consistently above average against all indicators, were **Finsbury Park, Caledonian, Junction, Tollington, Laycock, Arsenal and Hillrise.**



Table 21. Wards above average for data relating to property condition complaints.

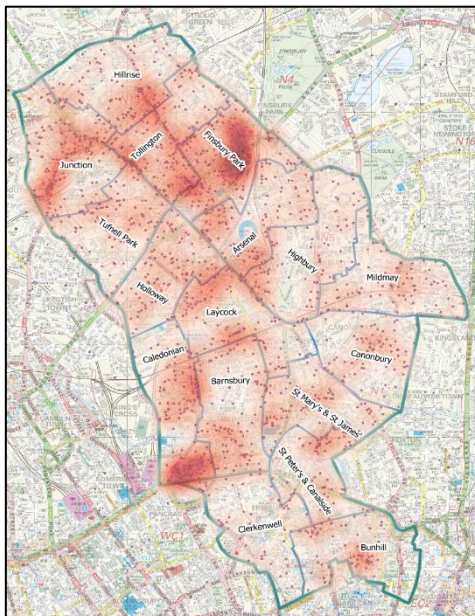
Ward	Overall Number of complaints	Unique Number of complaints	Follow up action required	Formal enforcement action taken
<b>AVERAGE</b>	<b>140</b>	<b>117</b>	<b>116</b>	<b>53</b>
<b>Finsbury Park</b>	268	229	225	128
<b>Caledonian</b>	222	184	183	69
<b>Junction</b>	220	181	183	92
<b>Tollington</b>	208	164	173	90
<b>Laycock</b>	162	130	141	66
<b>Arsenal</b>	149	122	123	55
<b>Hillrise</b>	144	123	125	63
<b>Holloway</b>	133	111	113	44
<b>Highbury</b>	120	102	98	38
<b>Tufnell Park</b>	120	99	100	47
<b>Barnsbury</b>	118	102	95	39
<b>St Mary's &amp; St James'</b>	109	88	83	35
<b>Mildmay</b>	97	86	78	37
<b>Bunhill</b>	91	82	80	24
<b>Canonbury</b>	87	72	69	34
<b>St Peter's &amp; Canalside</b>	82	74	61	23
<b>Clerkenwell</b>	60	56	55	21

- E18. An alternative method of looking at this data is to consider the number of unique addresses with property condition complaints as a percentage of the number of PRS properties in each ward (based upon the 2021 PRS analysis). Using this method, the average percentage is 5.63%. Table 22 shows six wards (highlighted red) that are above average. These wards are **Finsbury Park**, **Caledonian**, **Junction**, **Tollington**, **Laycock**, and **Hillrise**.

Table 22. Wards above average for the number of unique addresses with property condition complaints, as a percentage of the PRS and the total in Islington.

Ward	PRS	Number of unique addresses with property condition complaints	Unique addresses with property condition complaints % of PRS	% Total of the unique addresses with property condition complaints in Islington
<b>AVERAGE</b>		<b>117</b>	<b>5.6%</b>	<b>5.9%</b>
<b>Finsbury Park</b>	2489	229	9.2%	11.4%
<b>Caledonian</b>	2669	184	6.9%	9.2%
<b>Junction</b>	1844	181	9.8%	9.0%
<b>Tollington</b>	2404	164	6.8%	8.2%
<b>Laycock</b>	1587	130	8.2%	6.5%
<b>Hillrise</b>	1617	123	7.6%	6.1%
<b>Arsenal</b>	2440	122	5.0%	6.1%
<b>Holloway</b>	2006	111	5.5%	5.5%
<b>Barnsbury</b>	2010	102	5.1%	5.1%
<b>Highbury</b>	2061	102	5.0%	5.1%
<b>Tufnell Park</b>	1814	99	5.4%	4.9%
<b>St Mary's &amp; St James'</b>	2057	88	4.3%	4.4%
<b>Mildmay</b>	2135	86	4.0%	4.3%
<b>Bunhill</b>	2523	82	3.3%	4.1%
<b>St Peter's &amp; Canalside</b>	2032	74	3.6%	3.7%
<b>Canonbury</b>	1695	72	4.3%	3.6%
<b>Clerkenwell</b>	2259	56	2.5%	2.8%

E19. The property condition complaints analysis shows that the seven wards of **Finsbury Park, Caledonian, Junction, Tollington, Laycock, Hillrise** and **Arsenal** are consistently above average, whilst the four wards of **Holloway, Barnsbury, Highbury** and **Tufnell Park** are consistently at least 75% of the average. Map 9 shows the distribution of unique property condition complaints over the period by new ward. The cases are shown as dots and the concentrations in orange shading.



Map 9 Distribution of unique property condition complaints 2014-2020 by new ward.

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### Nuisance relating to poor condition of property

- E20. Of the total **3,168** complaints about private rented properties mentioned above, **778** were about issues relating to nuisance issues such as pests, defective drainage, accumulations of rubbish etc. at **712** unique addresses.

**626** (80%) cases required remedial action by the landlord, ranging from informal advice to formal action such as serving statutory notices or prosecution.

**165** cases (21%) required formal enforcement action,

- E21. Figure 13 below shows the numbers of total nuisance complaints per ward. The average number of nuisance complaints per ward was 45.

**Finsbury Park, Tollington, Junction, Hillrise, Laycock, Caledonian, Holloway, and Arsenal** (shaded red) being at or above average.

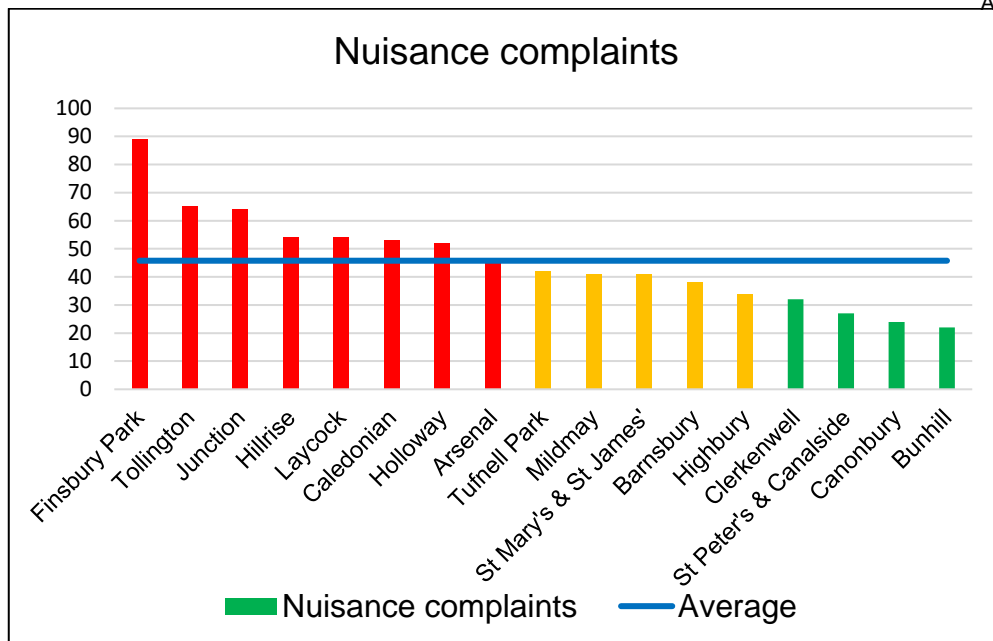


Figure 13. Total nuisance complaints per ward.

- E22. Analysis of the unique source addresses for nuisance complaints is shown in Figure 14. The average number of unique addresses was 40 per ward. **Finsbury Park, Tollington Junction, Laycock, Caledonian, Hillrise** and **Holloway** are at or above average (highlighted red).

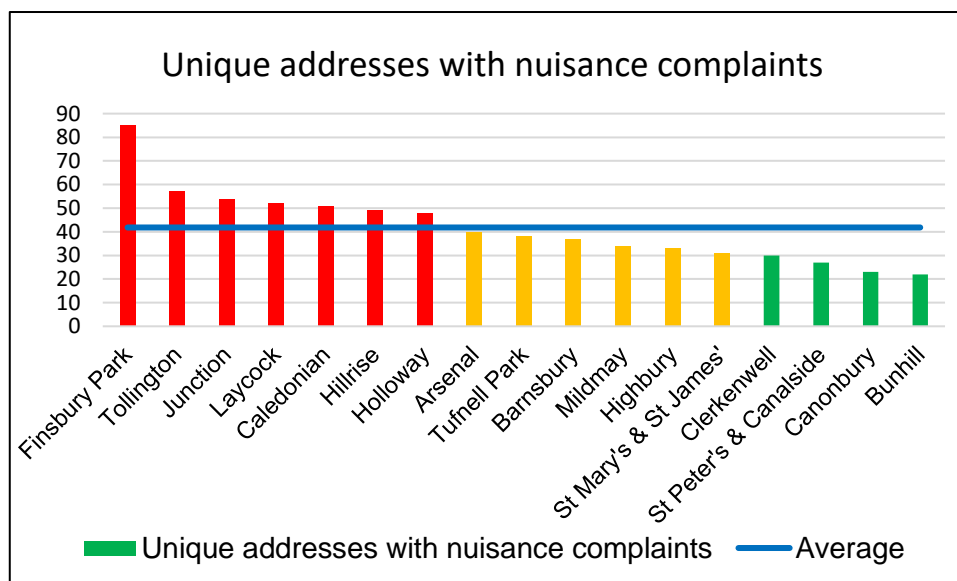


Figure 14. Unique addresses with property nuisance complaints by ward.

## Pests

- E23. According to the latest British Pest Control Association (BCPA) Annual Survey<sup>50</sup>, Islington had the 11<sup>th</sup> highest number of bed bug complaints per head of population in the country

<sup>50</sup> British Pest Control Association. National Survey 2016.  
[https://bpca.org.uk/write/MediaUploads/Documents/Research/BPCA\\_National\\_Survey\\_2016.pdf](https://bpca.org.uk/write/MediaUploads/Documents/Research/BPCA_National_Survey_2016.pdf)

with 0.88 per 1,000 people, compared to 0.49 for London and 0.2 nationally. Bed bugs are frequently associated with poor property conditions in the PRS.

- E24. For mice complaints, Islington was 7<sup>th</sup> highest nationally and second in London with 1,511 callouts, or 7.33 per 1,000 head of population, an increase of 32% on the previous year. For London, the average was 2.26 and nationally 1.21 per 1,000 people. Mice are also frequently associated with poorly managed PRS properties.
- E25. As previously mentioned, complaints about pest infestations in private rented accommodation was the second highest type of complaint received, with a total of 259 complaints solely about pests. Pest complaints are frequently combined with other more general complaints about properties and so the number of specific pest complaints may be under representative. Figure 15 shows the total number of pest complaints received over the period 2014-2020. **Finsbury Park, Caledonian, Hillrise, Junction, Holloway, Laycock** and **St Mary's & St. James'** are above average.

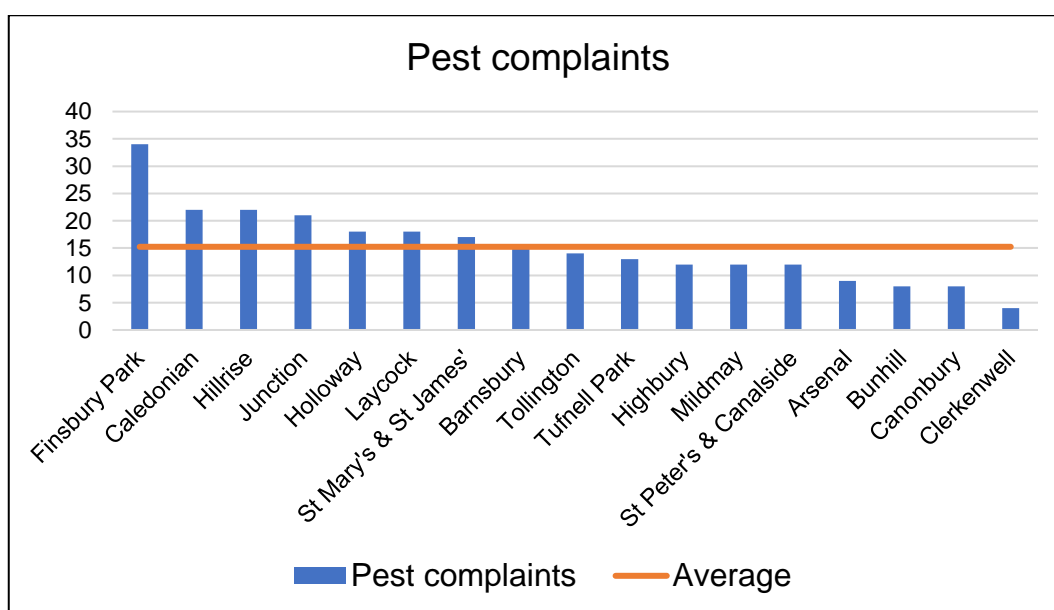


Figure 15. Number of pest complaints received relating to the PRS.

- E26. Looking in more detail at the complaints where landlord action was required, the total number of all nuisance complaint cases per ward is shown in Figure 16. Eight wards were above the average of 36 cases. **Finsbury Park, Junction, Laycock, Tollington, caledonian, Holloway, Hillrise** and **Arsenal** were above average (highlighted red).

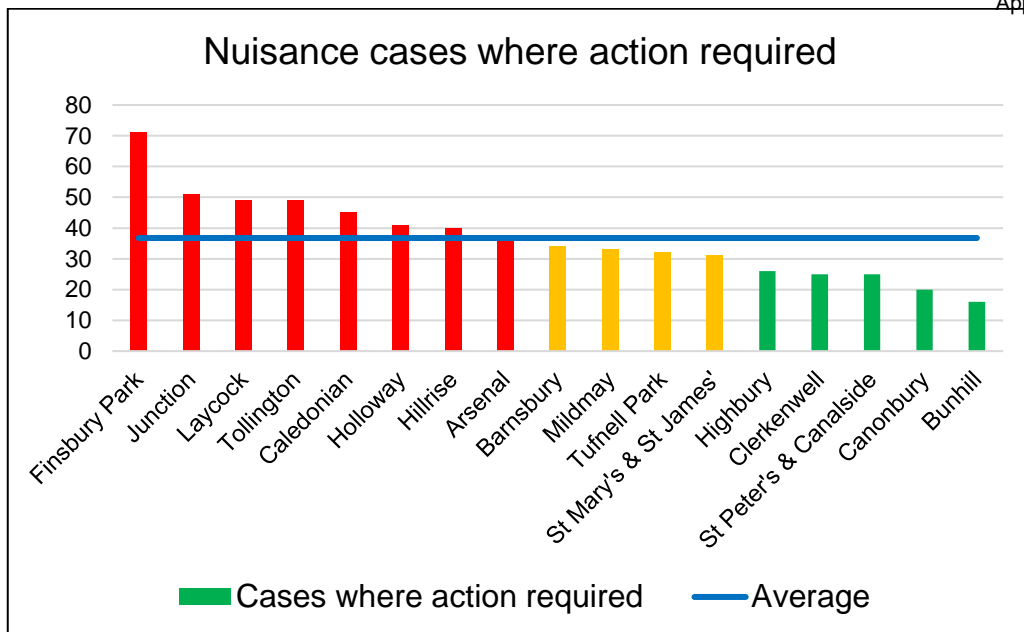


Figure 16. Number of property nuisance complaints per ward requiring formal or informal action to resolve the issue.

E27. Figure 17 shows the number of cases per ward that required formal enforcement action to remedy the nuisance.

E28. **Finsbury Park, Laycock, Hillrise, Tufnell Park, Caledonian, Barnsbury, Holloway and Mildmay** are above average (highlighted red).

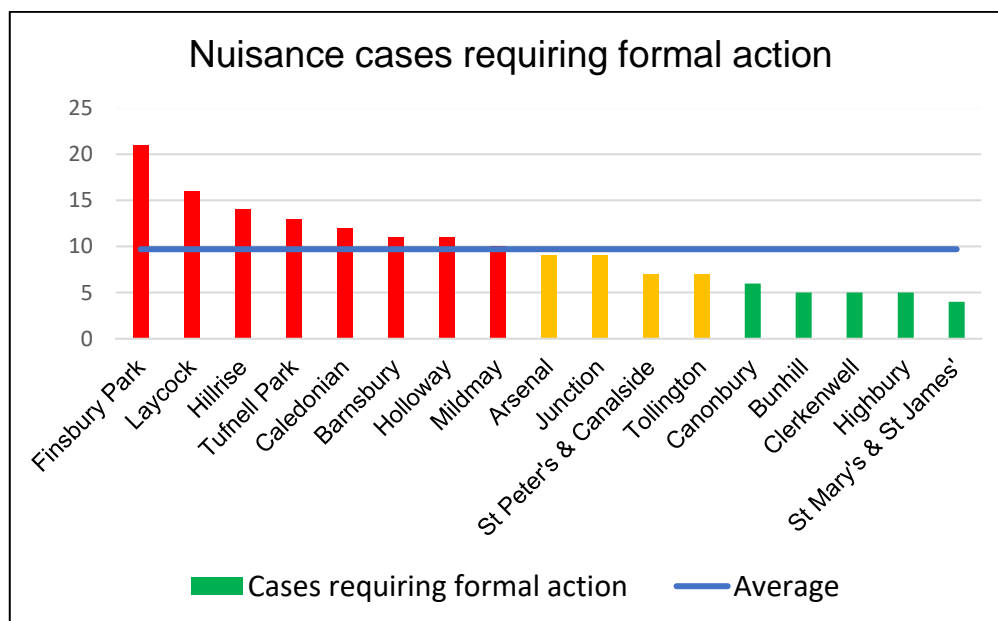


Figure 17. Cases of property nuisance complaints that led to formal action.

E29. Table 23 summarises the above datasets for nuisance by ward. **Finsbury Park, Tollington, Junction, Hillrise, Laycock, Caledonian, Holloway, Arsenal, Tufnell Park, Mildmay and Barnsbury** are all above average for the number of nuisance complaint cases where formal action was taken.

Table 23. Wards above average for data relating to nuisance complaints.

Ward	Total Number of nuisance complaints	Number of unique addresses with nuisance complains	Number of nuisance complaint cases where action required	Number of nuisance complaint cases where formal action taken
<b>AVERAGE</b>	<b>45</b>	<b>41</b>	<b>36</b>	<b>9</b>
<b>Finsbury Park</b>	89	85	71	21
<b>Tollington</b>	65	57	49	7
<b>Junction</b>	64	54	51	9
<b>Hillrise</b>	54	49	40	14
<b>Laycock</b>	54	52	49	16
<b>Caledonian</b>	53	51	45	12
<b>Holloway</b>	52	48	41	11
<b>Arsenal</b>	46	40	37	9
<b>Tufnell Park</b>	42	38	32	13
<b>Mildmay</b>	41	34	33	10
<b>St Mary's &amp; St James'</b>	41	31	31	4
<b>Barnsbury</b>	38	37	34	11
<b>Highbury</b>	34	33	26	5
<b>Clerkenwell</b>	32	30	25	5
<b>St Peter's &amp; Canalside</b>	27	27	25	7
<b>Cannonbury</b>	24	23	20	6
<b>Bunhill</b>	22	22	16	5

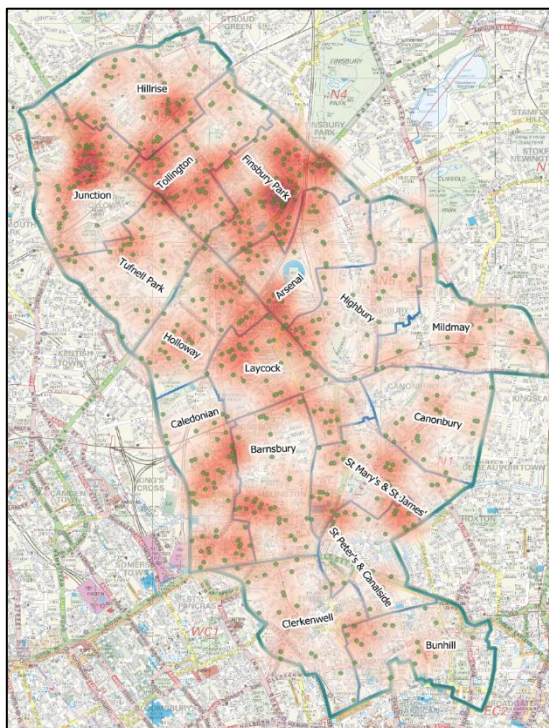
E30. Table 25 shows the number of unique addresses with nuisance complaints as a percentage of the number of PRS properties in each ward (based upon the 2021 PRS analysis). The average percentage is 2%. Seven wards (highlighted red) are above average, these were **Finsbury Park, Tollington, Junction, Laycock, Hillrise, Holloway** and **Tufnell Park**. A further six wards are at least 75% of the average (highlighted orange).

Table 24. Wards above average for the number of unique addresses with nuisance complaints as a percentage of the PRS and the total number of nuisance complaints in Islington.

Ward	PRS	Number of unique addresses with nuisance complaints	Property nuisance complains – % of PRS	% unique addresses with nuisance complaints
<b>AVERAGE</b>		<b>41</b>	<b>2.0%</b>	<b>5.9%</b>
Finsbury Park	2489	85	3.4%	12.0%
Tollington	2404	57	2.4%	8.0%
Junction	1844	54	2.9%	7.6%
Laycock	1587	52	3.3%	7.3%
Caledonian	2669	51	1.9%	7.2%
Hillrise	1617	49	3.0%	6.9%
Holloway	2006	48	2.4%	6.8%
Arsenal	2440	40	1.6%	5.6%
Tufnell Park	1814	38	2.1%	5.3%
Barnsbury	2010	37	1.8%	5.2%
Mildmay	2135	34	1.6%	4.8%
Highbury	2061	33	1.6%	4.6%
St Mary's & St James'	2057	31	1.5%	4.4%
Clerkenwell	2259	30	1.3%	4.2%
St Peter's & Canalside	2032	27	1.3%	3.8%
Canonbury	1695	23	1.4%	3.2%
Bunhill	2523	22	0.9%	3.1%

E31. The analysis of nuisance complaints demonstrates that eleven wards are consistently above average or at least 75% of the average for the measures. Map 10 shows the distribution of unique nuisance complaints over the period by new ward.





Map 10 Distribution of unique nuisance complaints by new ward.

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### Poor property conditions - Category 1 and 2 hazards

- E32. Residential properties with one of 29 hazards are risk assessed using the housing health & safety rating system (HHSRS).<sup>51</sup> A hazard is any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency.<sup>52</sup> Under the Housing Act 2004, where local authorities consider it is appropriate to determine whether hazards exist on a premises, they are required to inspect the premises and assess the risk.<sup>53</sup> The risk assessment classifies each hazard as either category 1, or category 2 hazards. Category 1 hazards are more serious and require the council to take action to reduce or remove the risk.<sup>54</sup> Category 2 hazards are less serious, and the council has option to take action.<sup>55</sup>
- E33. The results of 570 HHSRS assessments relating to SFO properties under the health and safety rating between 2014 to 2020 were analysed. The full data set for this period was unavailable due to a change in record keeping protocol during this period. Figure 18 shows the number of HHSRS inspections at unique addresses per ward, with the average being 31 per ward. **Finsbury Park, Caledonian, Tollington, Junction, Hillrise** and **Arsenal** are above average (highlighted red).

<sup>51</sup> <https://www.gov.uk/government/publications/hhsrs-operating-guidance-housing-act-2004-guidance-about-inspections-and-assessment-of-hazards-given-under-section-9>

<sup>52</sup>

Housing Act 2004. [Section 2](#)

<sup>53</sup> and Fol Risk

Housing Act 2004. [Section 4](#)

<sup>54</sup> Housing Act 2004. [Section 5](#)

<sup>55</sup> Housing Act 2004. [Section 7](#)

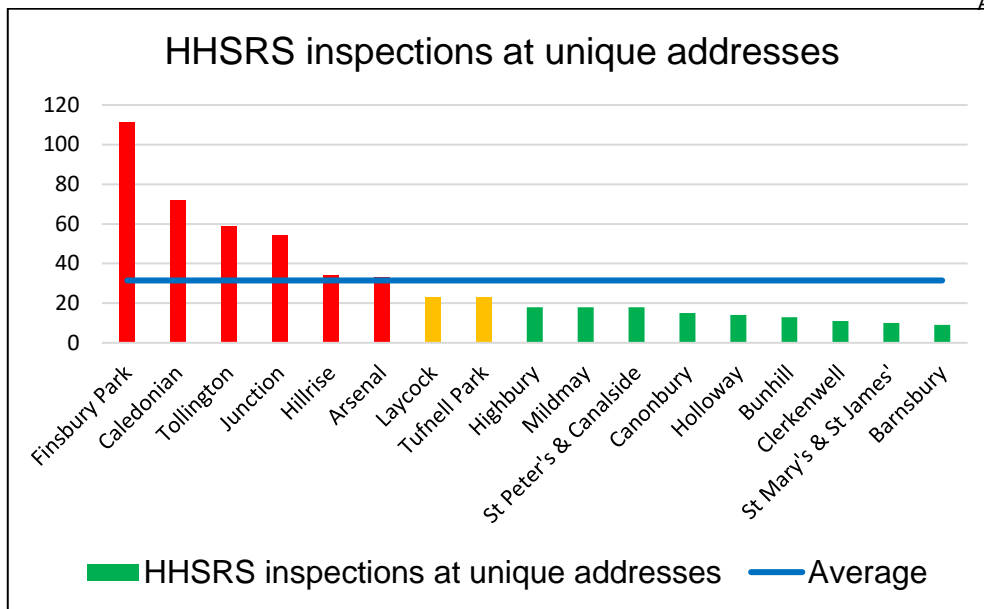


Figure 18. HHSRS inspections at unique addresses by ward 2014-2020.

E34. In total of **1,445** hazards were identified indicating that there was on average **2.5** hazards per property inspection. Figure 19 shows all category 1 and 2 hazards by ward. The average was 85 per ward. **Finsbury Park, Tollington, Caledonian, Junction, Hillrise** and **Arsenal** were above average (highlighted red).

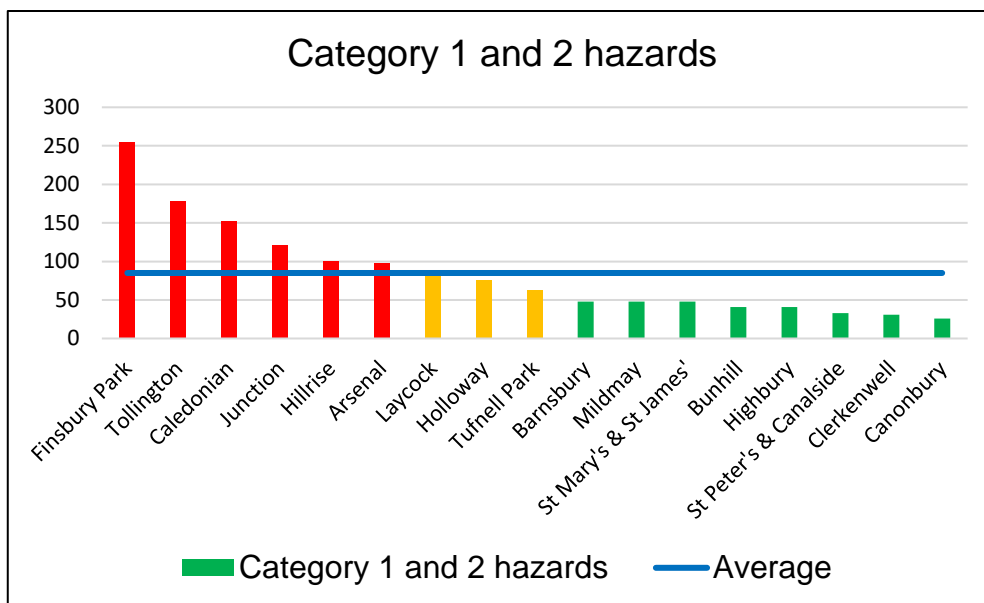
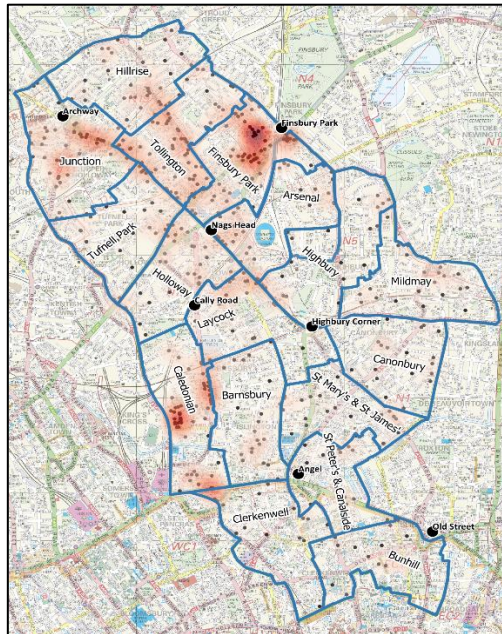


Figure 19. All hazards identified by ward.

E35. Map 11 shows the distribution of category 1 and category 2 hazards over the period by ward. The cases are shown by the black dots, with the red shading indicating the concentration of cases.



Map 11 Distribution of category 1 and 2 hazards by ward.

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E36. The most serious hazards requiring urgent attention are category 1 hazards. These present a serious risk to a person's health and safety. There were a total of **525** category 1 hazards found, with an average of 30.9 per ward. Figure 20 shows the distribution of category 1 hazards per ward. The same six wards (highlighted red) feature as having above average numbers.

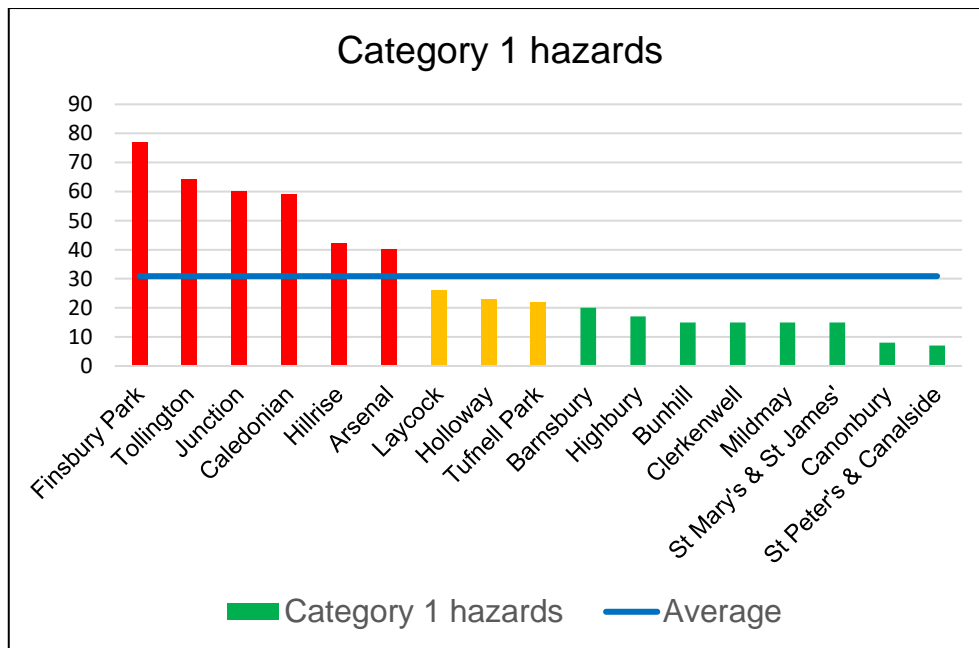


Figure 20. All category 1 hazards by ward.

E37. These hazards were found in a total of **223** different properties, an average of 13.1 per ward. Figure 21 shows the number of unique addresses with category 1 hazards. The same wards had the highest numbers as in the case of all category 1 hazards (highlighted red).

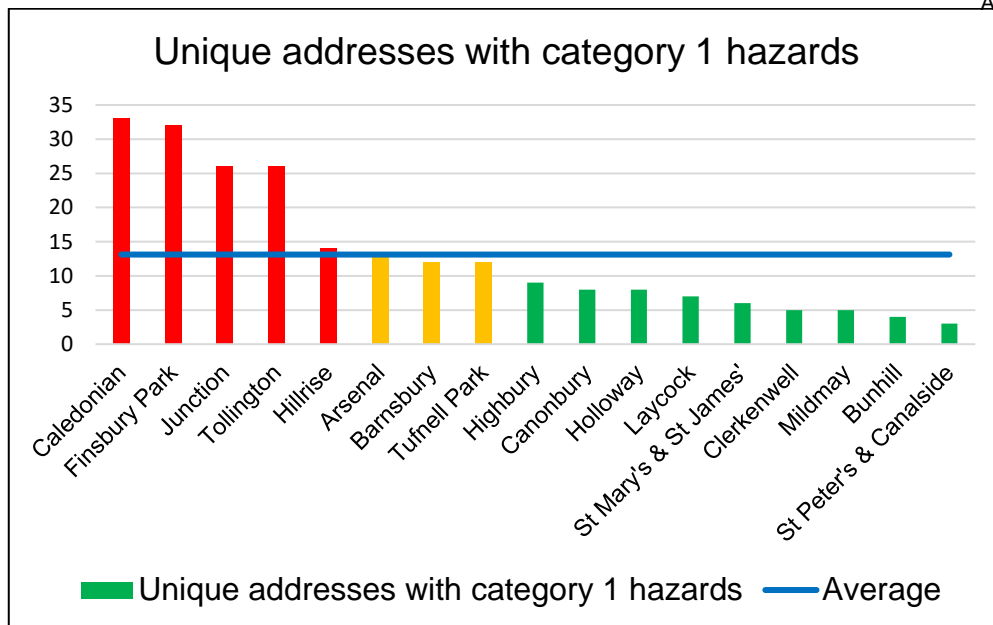


Figure 21. Unique addresses with category 1 hazards by ward.

E38. Table 25 shows the top category 1 hazard types found across all wards. By far the greatest number related to 'Fire' and 'Excess Cold.'

Table 25. Top category 1 hazard types.

Hazard	Number of category 1 hazards
Fire	144
Excess Cold	138
Damp And Mould Growth	53
Falls On Stairs And Steps	47
Crowding And Space	27
Falls Between Levels	17
Personal Hygiene	14
Entry By Intruders	13
Falls On The Level	13
Lighting	13
Electrical Hazards	12

E39. Category 2 hazards are those which require attention but are less serious and urgent than category 1 hazards. The highest two category 2 bands (D and E) were examined. **537** hazards were classified as high category 2. The average was 31.6 per ward. Figure 22 shows the numbers of band D and E category 2 hazards by ward. Seven wards were above average (highlighted red) and three wards had at least 75% of the average (highlighted orange).

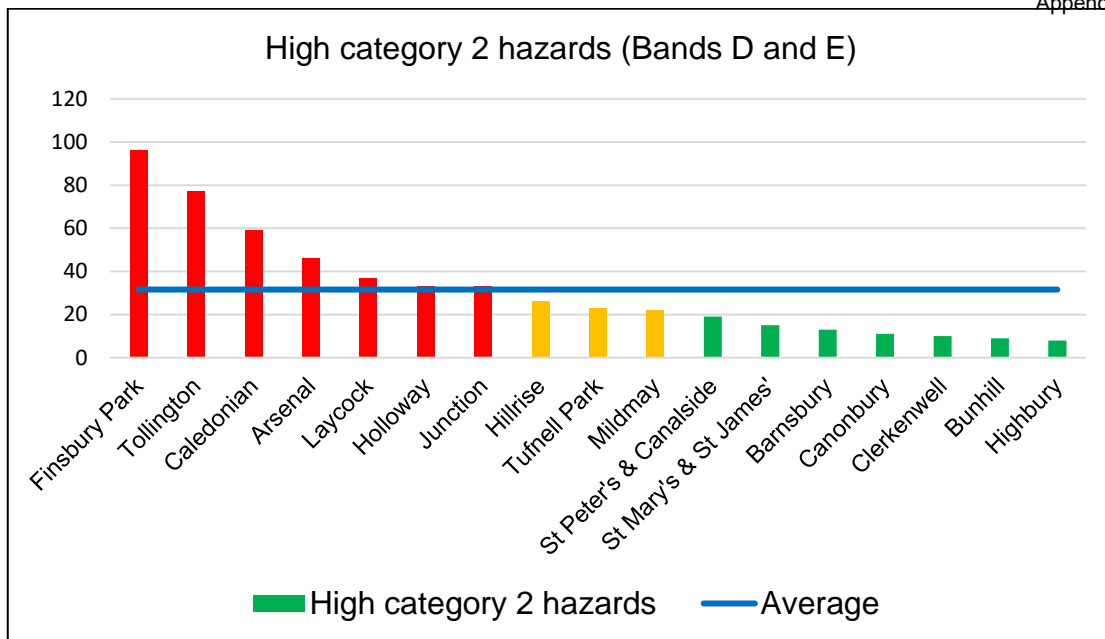


Figure 22. High category 2 hazards per ward.

- E40. Category 2 hazards were found in a total of **335** different properties, an average of 19.7 per ward. Figure 23 shows the number of unique addresses with high category 2 hazards. The same wards (all but Tufnell Park) were either above average or at least 75% of the average, as was the case for all high category 2 hazards.

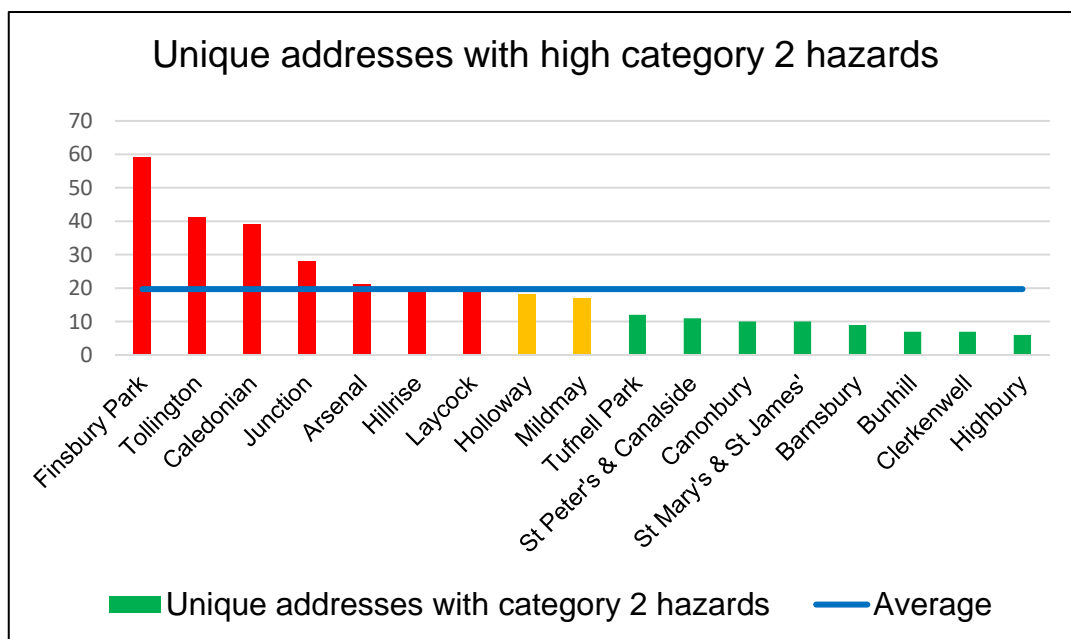


Figure 23. Unique addresses with high category 2 hazards.

- E41. Table 26 shows the top high category 2 hazard types found across all wards. By far the greatest number related to fire and damp and mould growth.

Table 26. Top high category 2 hazard types.

Hazard	Number of high category 2 hazards
Fire	121
Damp and mould	107
Falls on stairs	36
Personal hygiene	35
Excess cold	31
Food safety	30
Electrical hazards	27
Entry by intruders	27
Falls on the level	22
Domestic hygiene & pests	16

E42. Figure 24 shows the combined data sets for category 1 and 2 hazards.

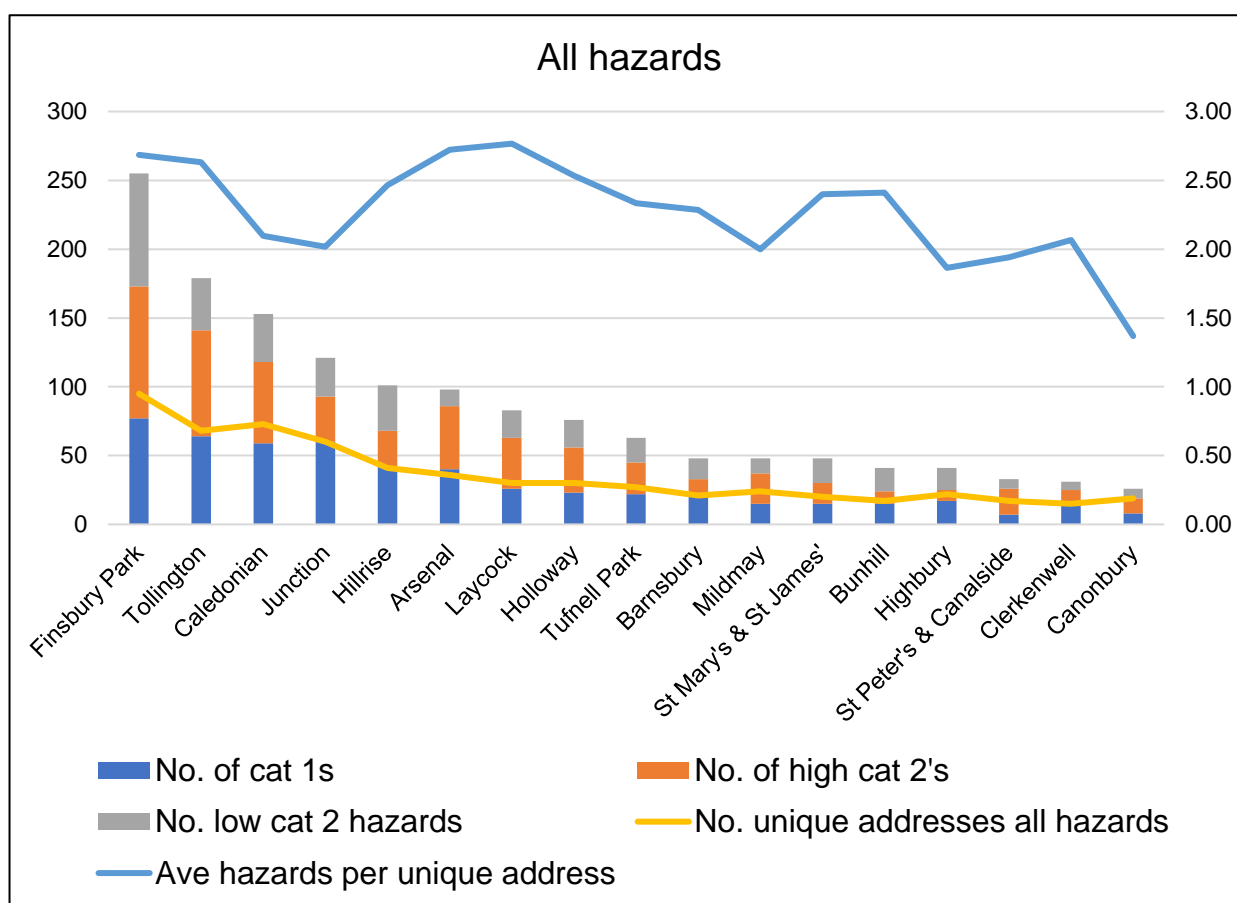


Figure 24. Total hazards per ward and average number of hazards per property.

E43. Table 27 shows numerical data on category 1 and 2 hazards. Finsbury Park, Tollington, Caledonian, Junction, Hillrise, Arsenal are above average and shaded in red, Laycock Holloway and Tufnell Park are slightly below average and shaded in orange

Table 27. Summary of wards above average for hazard criteria indicating poor property conditions.

Ward	Total number of hazards	Number of unique addresses with hazards	Number of category 1 hazards	Number of high category 2 hazards	Number of Low category 2 hazards
<b>AVERAGE</b>	<b>85</b>	<b>36</b>	<b>30</b>	<b>31</b>	<b>24</b>
<b>Finsbury Park</b>	255	95	77	96	82
<b>Tollington</b>	179	68	64	77	38
<b>Caledonian</b>	153	73	59	59	35
<b>Junction</b>	121	60	60	33	28
<b>Hillrise</b>	101	41	42	26	33
<b>Arsenal</b>	98	36	40	46	12
<b>Laycock</b>	83	30	26	37	20
<b>Holloway</b>	76	30	23	33	20
<b>Tufnell Park</b>	63	27	22	23	18
<b>Barnsbury</b>	48	21	20	13	15
<b>Mildmay</b>	48	24	15	22	11
<b>St Mary's &amp; St James'</b>	48	20	15	15	18
<b>Bunhill</b>	41	17	15	9	17
<b>Highbury</b>	41	22	17	8	16
<b>St Peter's &amp; Canalside</b>	33	17	7	19	7
<b>Clerkenwell</b>	31	15	15	10	6
<b>Canonbury</b>	26	19	8	11	7

#### Enforcement actions – statutory notices

- E44. This section analyses data on cases where there was an issue that required formal enforcement action to deal with conditions at the property, such as notices served under the Housing Act 2004, Public Health Act 1936, or Environmental Protection Act 1990.
- E45. There were **898** notices served between 2014 and 2020. Figure 25 shows the distribution of these notices by ward. The average was 52 notices per ward, with **Finsbury Park, Junction, Tollington, Tufnell Park, Caledonian, Hillrise, Arsenal, Holloway and Laycock** above average (highlighted red).

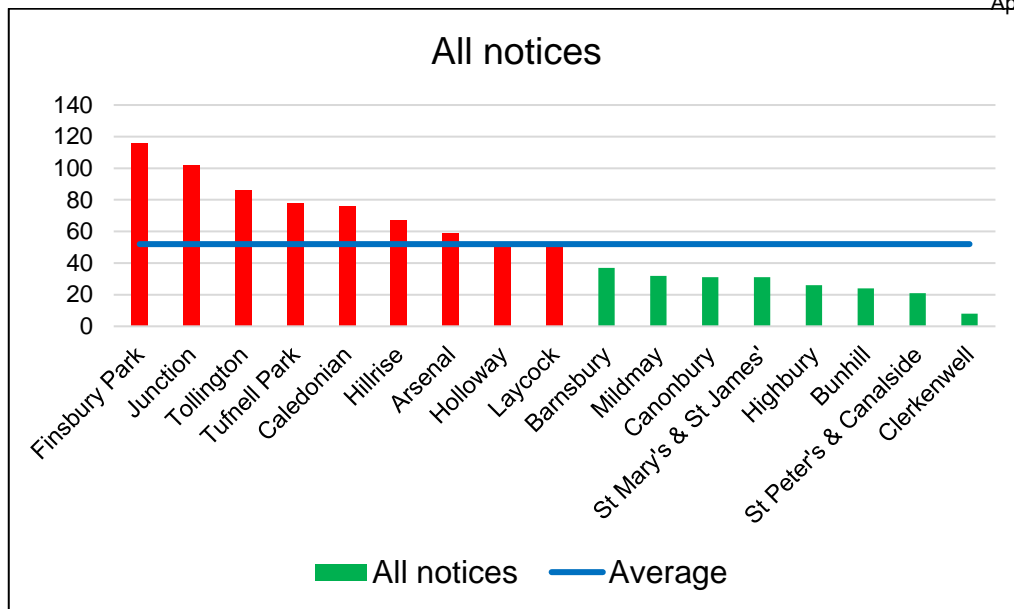


Figure 25. All notices served by ward.

E46. Of the 895 notices served, these related to **684** unique addresses, meaning there was an average of **1.3** notices served per property. The average number of unique properties with notices per ward is 40. In Figure 26, eight wards were above average (highlighted red).

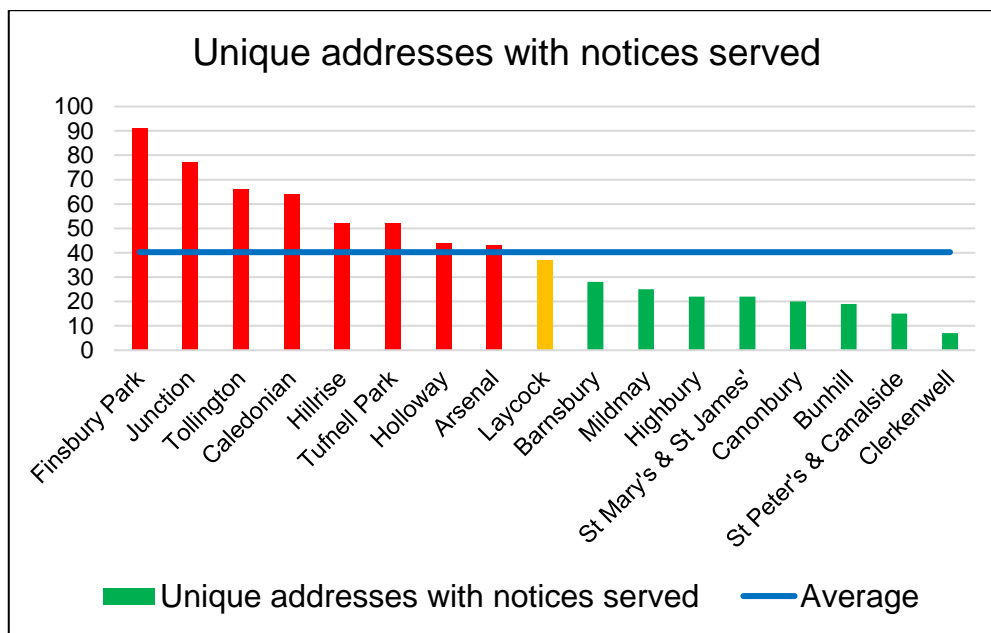
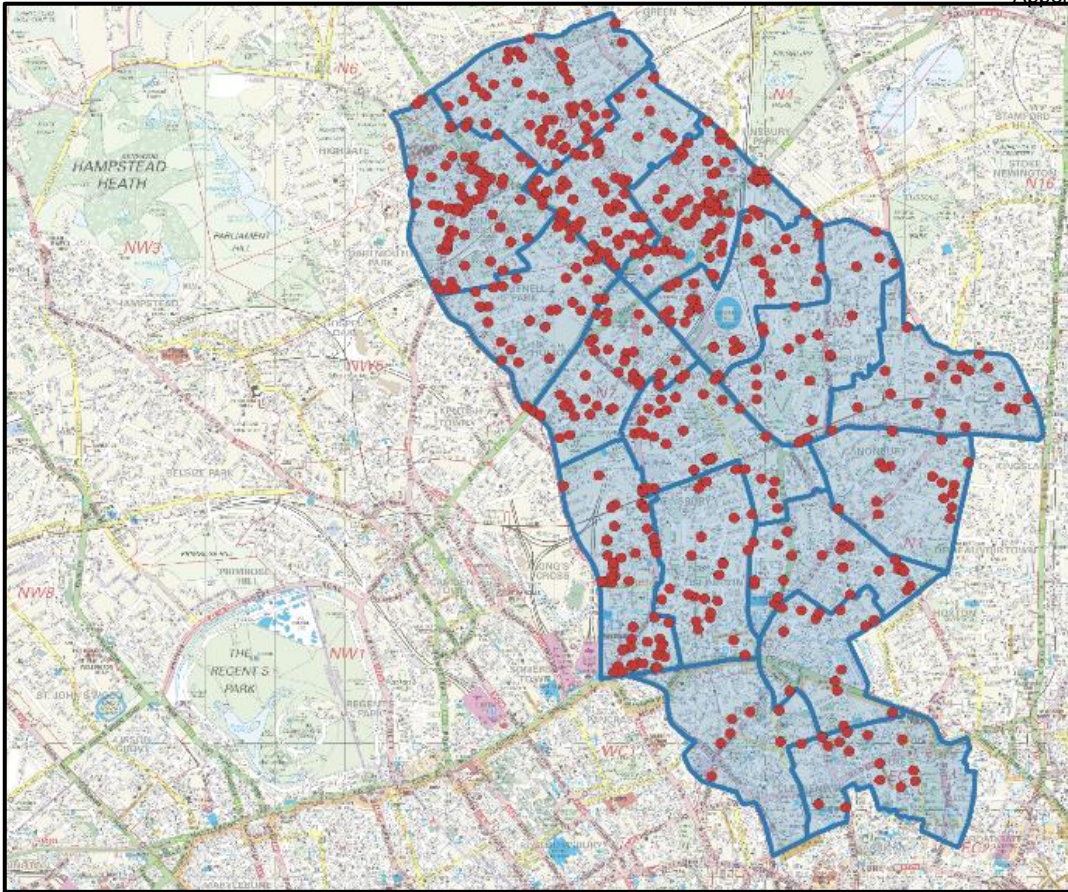


Figure 26. Unique addresses with notices served per ward.

E47. Map 12 shows the distribution of the properties subject to all notices on the new ward boundaries.





Map 12 Distribution of all notices on new ward boundaries.

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E48. Housing Act notices deal directly with issues such as removing or reducing category 1 and 2 hazards and overcrowding. Looking solely at Housing Act notices served, there were **502** in total. Table 28 shows the numbers of each category of major notice type.

Table 28. Major Housing Act notices served by type.

Notice type	Number served
Improvement Notice	272
Hazard Awareness Notice	119
Overcrowding Notice	41
Prohibition Order	28
Suspended Prohibition Order	25
Suspended Improvement Notice	13
Emergency Prohibition Order	2
Emergency Remedial Action Notice	1
Closing Order	1

E49. Figure 27 shows the Housing Act notices by ward. The average is 29, with Finsbury Park, Junction, Tollington, Caledonian, Tufnell Park and Hillrise all above average (highlighted red). Arsenal, Holloway and Laycock are at least 75% of the average (highlighted orange).

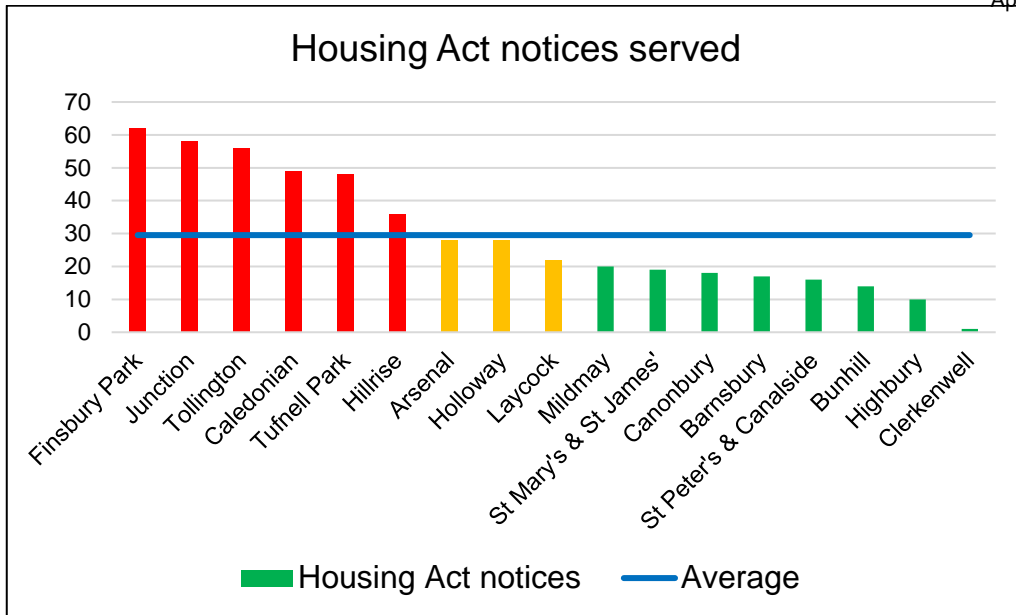


Figure 27. Housing Act notices per ward.

E50. Figure 32 shows the ward distribution of the **424** unique addresses where Housing Act notices were served

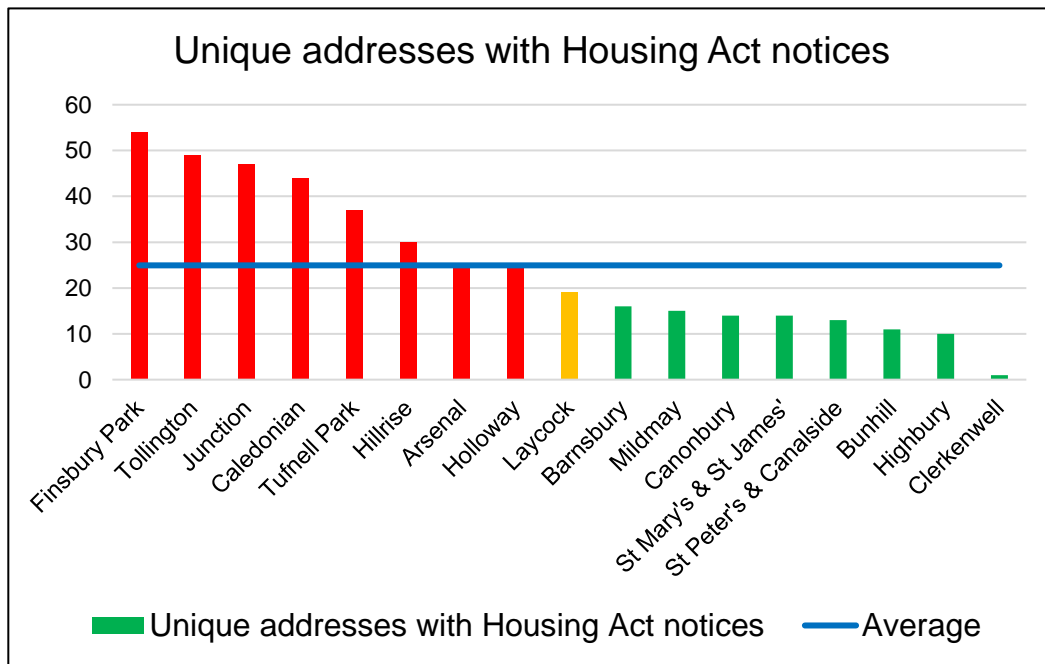
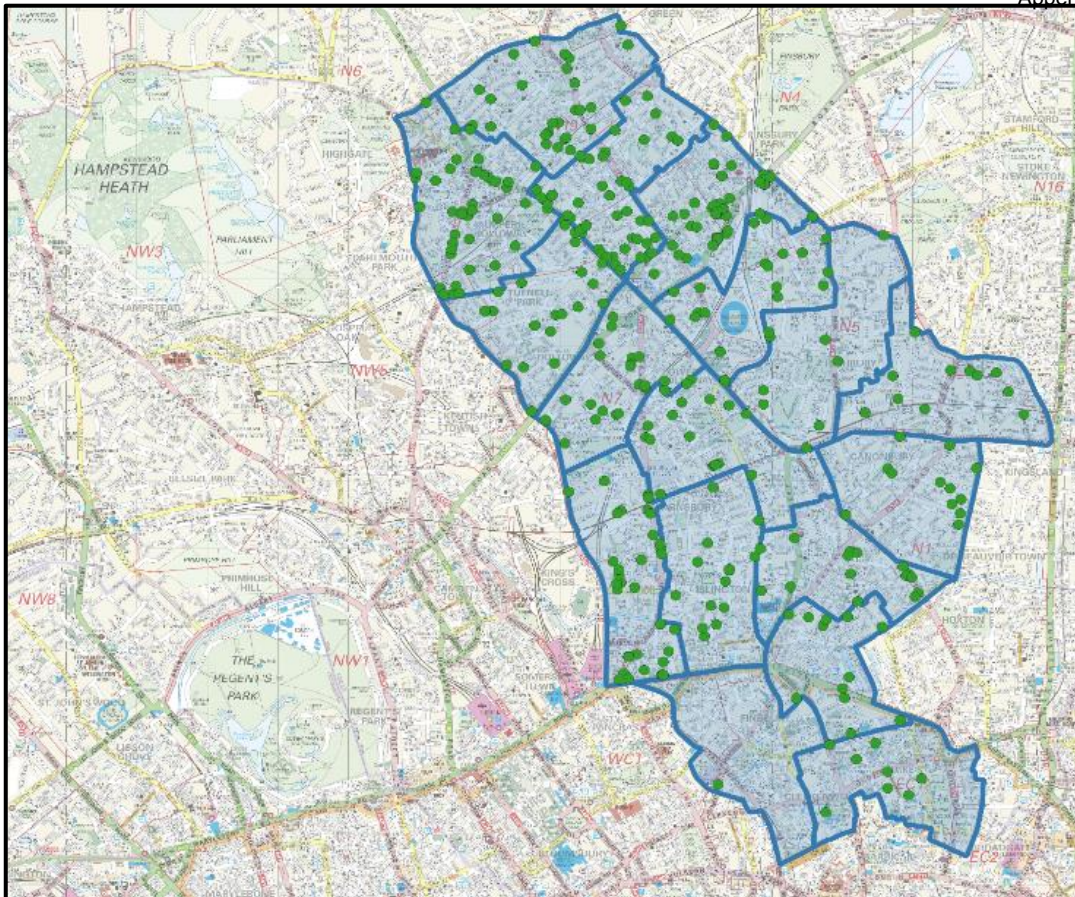


Figure 28. Unique addresses with Housing Act notices by ward.

E51. Map 13 below shows the distribution of the properties subject to Housing Act notices.



Map 13 Distribution of Housing Act notices on new ward boundaries.

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E52. Some inspections identify poor conditions that can be remedied under other legislation, such as the Building Act 1984, Environmental Protection Act 1990, and the Public Health Act 1936. There were **393** notices meeting this description that required the landlord undertake remedial action to improve conditions in the property. Table 29 shows the top 5 categories of these types of notices.

Table 29. Top categories of miscellaneous notices served relating to property conditions.

Notice type	Number served
Environmental Protection Act	153
Prevention of Damage by Pests Act	114
Building Act 1984	42
Public Health Act 1936	30
Community Protection Act Final Notice	26

E53. Figure 29 shows the number of miscellaneous notices per ward, with an average of 23. Nine wards were at or above average (highlighted red).

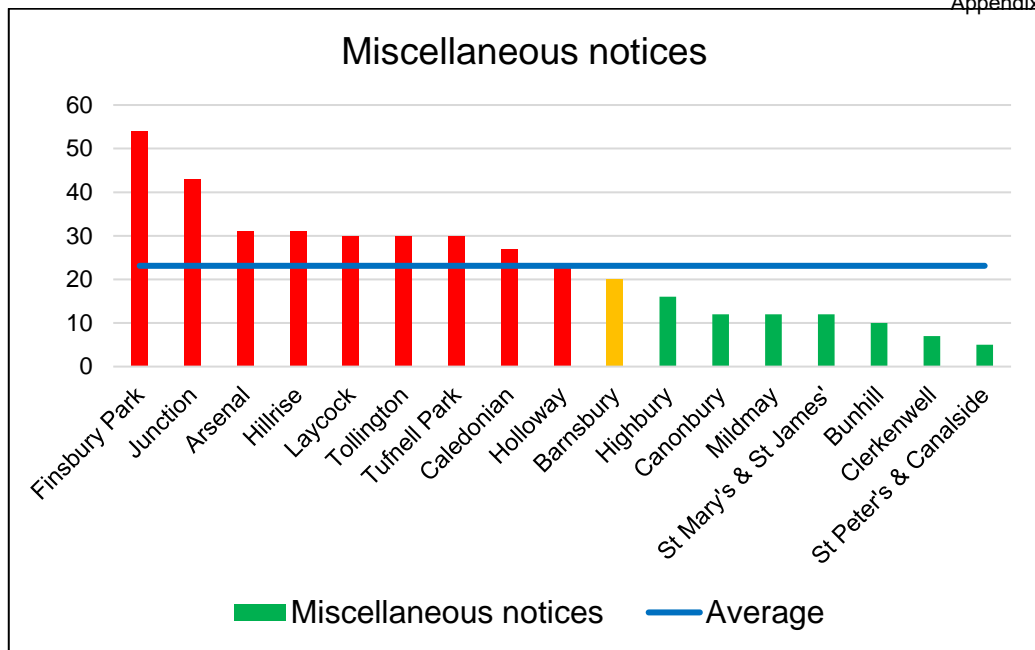
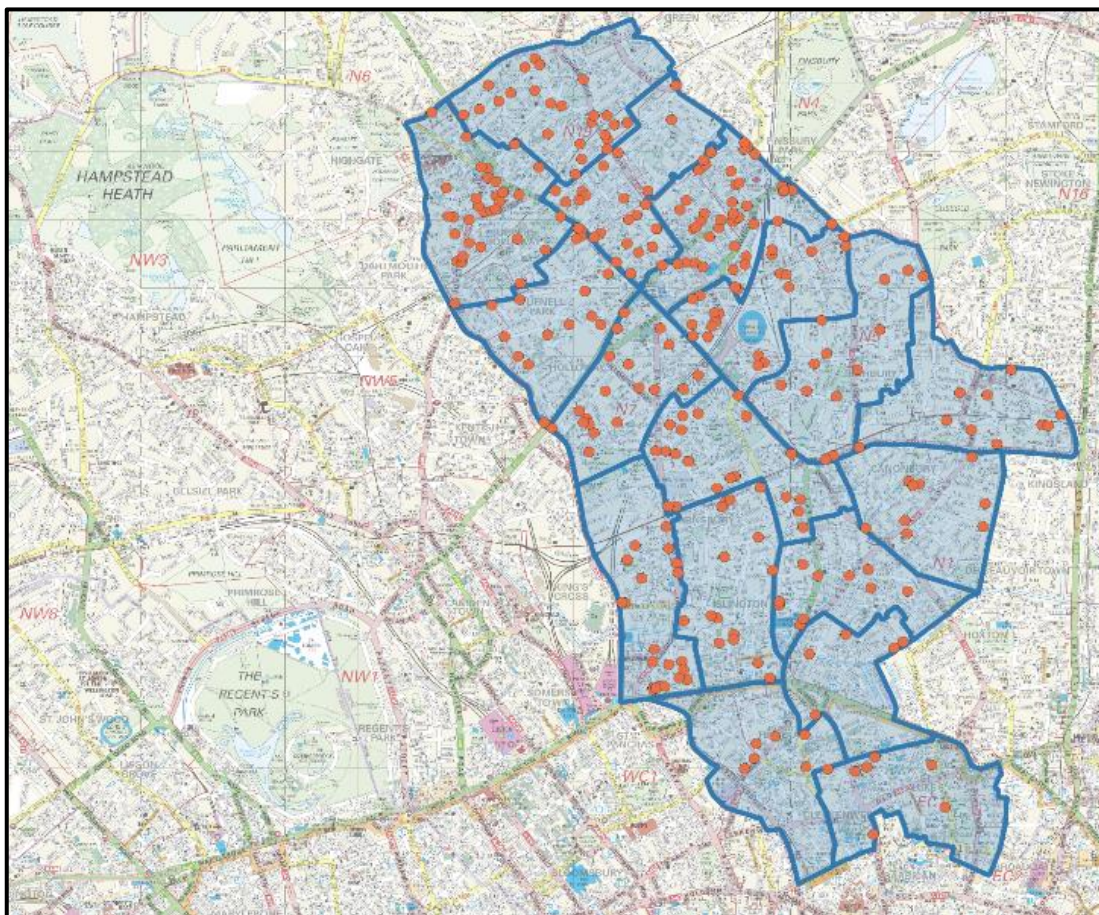


Figure 29. Total of miscellaneous notices related to property conditions per ward.

E54. Map 14 below shows the distribution of the properties subject to miscellaneous notices on the new ward boundaries.



Map 14 Distribution of miscellaneous notices on new ward boundaries.

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E55. Table 30 provides a summary of all Notices served by ward. **Finsbury Park, Junction, Tollington, Tufnell Park, Caledonian, Hillrise, Arsenal, Holloway** and **Laycock** are consistently above average for all notice indicators.

Table 30. Summary of wards above average for enforcement notices.

Ward	Total number of notices served	Number of unique addresses with notices served	Number of Housing Act notices	Number of unique addresses with Housing Act notices	Number of miscellaneous notices
<b>AVERAGE</b>	<b>52</b>	<b>40</b>	<b>29</b>	<b>25</b>	<b>23</b>
<b>Finsbury Park</b>	116	91	62	54	54
<b>Junction</b>	102	77	58	47	43
<b>Tollington</b>	86	66	56	49	30
<b>Tufnell Park</b>	78	52	48	37	30
<b>Caledonian</b>	76	64	49	44	27
<b>Hillrise</b>	67	52	36	30	31
<b>Arsenal</b>	59	43	28	25	31
<b>Holloway</b>	52	44	28	25	23
<b>Laycock</b>	52	37	22	19	30
<b>Barnsbury</b>	37	28	17	16	20
<b>Mildmay</b>	32	25	20	15	12
<b>Canonbury</b>	31	20	18	14	12
<b>St Mary's &amp; St James'</b>	31	22	19	14	12
<b>Highbury</b>	26	22	10	10	16
<b>Bunhill</b>	24	19	14	11	10
<b>St Peter's &amp; Canalside</b>	21	15	16	13	5
<b>Clerkenwell</b>	8	7	1	1	7

### Finsbury Park ward property survey

E56. In 2018 the council conducted a sample survey of 314 properties in Finsbury Park. Of the 114 properties occupied by single family households 54% of these properties were found to have conditions of concern.

Table 31 shows the findings of the survey

Table 31. Issues found in SFOs in Finsbury Park Survey.

Issue	Number of properties identified	Percentage of SFO properties with issues
External condition issues	27	24%
Internal condition issues	31	27%
Inadequate amenities	0	0%
Overcrowding	4	4%
Property management issues	27	24%
Lock of gas safety certificate	23	20%
No fire alarms	10	9%
Occupier does not feel safe from intruders	4	4%
No written tenancy agreement	1	1%
Property converted without building regulation compliance	14	12%
Any issues	62	54%
Total number of SFOs identified	114	100%

### Property Conditions Conclusions

- E57. All available data on property conditions in the private rented sector has been considered in this section. Most of this data is based on complaints and referrals from tenants however not all tenants will feel confident about complaining about their living conditions, some will be afraid of repercussions if they complain, such as retaliatory eviction, harassment or increased rents and other may know how to complain. The only exception is a small survey conducted in Finsbury Park which indicated that 54% tenants survey reported poor property conditions of concern.
- E58. The data indicates that poor property conditions can manifest in any part of the borough, but these are the wards that consistently rank above average the various dataset analysed:
- Finsbury Park
  - Junction
  - Tollington
  - Caledonian
  - Hillrise
  - Laycock
  - Tufnell Park
  - Arsenal
  - Holloway
- E59. Overall poor property conditions in the private rented sector tend to be concentrated in the north and west of the borough. The existing and proposed wards Finsbury Park contain some of the worst privately rented accommodation and poor property data supports extending the area of the borough covered by selective licensing to the adjoining new wards of Tollington and Hillrise in the first instance. Further consideration should be given to extending selective licensing to the six other wards at the earliest opportunity.

## 8.6 PART F: Anti-Social Behaviour

- F1. To show that anti-social behaviour is a relevant criterion for the designation of a selective licensing scheme, it must be demonstrated that the area is experiencing a significant and persistent problem caused by anti-social behaviour (ASB).<sup>56</sup>
- F2. Guidance<sup>57</sup> suggests the authority should consider whether private sector landlords in the designated area are not effectively managing their properties to combat incidences of anti-social behaviour caused by their tenants, or people visiting their properties and in particular the area suffers from anti-social behaviour because of this failure, or because that failure significantly contributes to that problem.
- F3. For these purposes, the guidance suggests ASB can include:
- intimidation and harassment of tenants or neighbours
  - noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity
  - animal related problems
  - vehicle related nuisance
  - anti-social drinking or prostitution
  - illegal drug taking or dealing
  - graffiti and fly posting
  - litter and waste within the curtilage of the property.
- F4. Data has been gathered from both the police and the council's database of ASB complaints.
- F5. The police provided data on begging and vagrancy, fireworks, noise, rowdy/nuisance neighbours, rowdy or inconsiderate behaviour, vehicle nuisance, inappropriate use or inconsiderate behaviour, drugs and other ASB.
- The numbers of ASB calls to the police was available for
- 1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2019
  - 1<sup>st</sup> January 2020 to 31<sup>st</sup> December 2020
- F6. The top 6 wards for police ASB reports were Finsbury Park, Junction, Tollington, Laycock Clerkenwell and Caledonian. The increase in ASB calls to the police is thought to have been triggered by Covid 19 lockdown. Table 32 shows the data by ward.

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<sup>56</sup> Housing Act 2004, [Section 80\(6\)](#)

<sup>57</sup> Department for Communities and Local Government. Selective licensing in the private rented sector A Guide for local authorities

Table 32. Numbers of ASB calls to the police by ward.

Ward	Total ASB calls to Police in 2019	Total ASB calls to Police in 2020	Percentage Increase	Total cases
Finsbury Park	659	1,214	84%	1,873
Junction	530	992	87%	1,522
Tollington	542	901	66%	1,443
Laycock	524	911	74%	1,435
Clerkenwell	510	812	59%	1,322
Caledonian	518	774	49%	1,292
Bunhill	469	742	58%	1,211
St Peter's & Canalside	435	751	73%	1,186
St Mary's & St James'	455	704	55%	1,159
Holloway	429	660	54%	1,089
Hillrise	317	741	134%	1,058
Arsenal	323	673	108%	996
Mildmay	311	665	114%	976
Highbury	342	617	80%	959
Tufnell Park	281	604	115%	885
Barnsbury	335	519	55%	854
Canonbury	246	603	145%	849
<b>TOTAL</b>	<b>7,226</b>	<b>12,883</b>	<b>78%</b>	<b>20,109</b>

- F7. Map 15 shows the distribution of the police ASB calls. The left-hand map shows the cases as a heat map and the right-hand map shows the heat map overlaid on the dot map of PRS properties.





Map 15 Police ASB cases 2019-2020.

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- F8. Table 33 shows the types of complaint reported to the police in 2019 and 2020. The highest category was rowdy or inconsiderate behaviour and 9.9% of these complaints were in **Finsbury Park** ward. **Finsbury Park** had the highest number of complaints in the categories of begging / vagrancy, fireworks, rowdy or inconsiderate behaviour, drugs and other ASB. **Tollington** ward had the highest numbers of noise and rowdy / nuisance neighbours. **Canonbury** and **Hillrise** jointly had the highest numbers of vehicle nuisance / inappropriate use.

Table 33. ASB complaints to the police - complaint types.

Category	Total police ASB complaints 2019 & 2020
Begging / vagrancy	965
Fireworks	262
Noise	1,948
Rowdy / nuisance neighbours	2,604
Rowdy or inconsiderate behaviour	7,712
Vehicle nuisance / inappropriate use	380
Drugs	3,077
Other ASB	3,161
<b>TOTAL</b>	<b>20,109</b>

- F9. Figure 30 shows the trend of ASB calls to the police between 2015 and 2021. The levels have been consistent, with a peak around the time of the first COVID-19 lockdown in the spring of 2020.

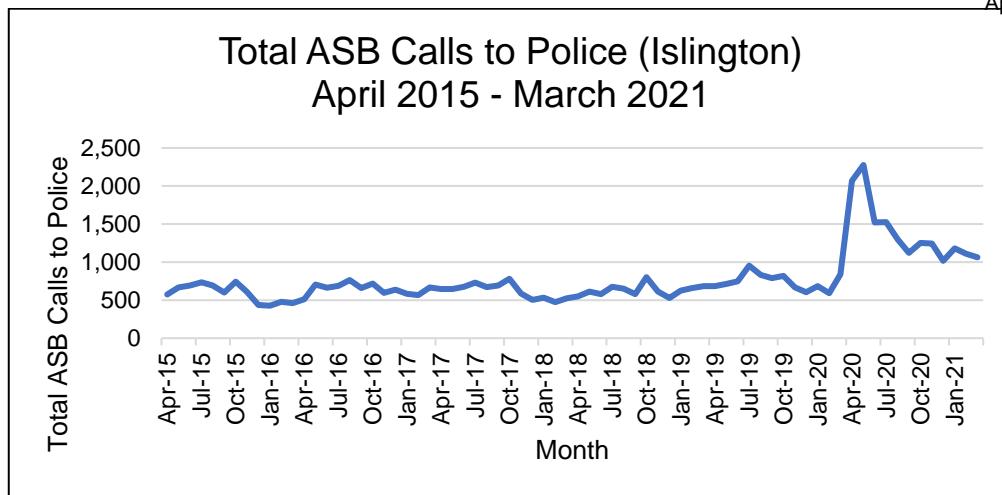


Figure 30. ASB calls to police long-term trend.

F10. The council also receives complaints about anti-social behaviour and data was available on animal problems, drugs, environmental, neighbours, noise, rowdy/inconsiderate behaviour, anti-social street drinking, vehicle nuisance or inappropriate use, and other ASB.

The numbers of ASB calls to the council was available for

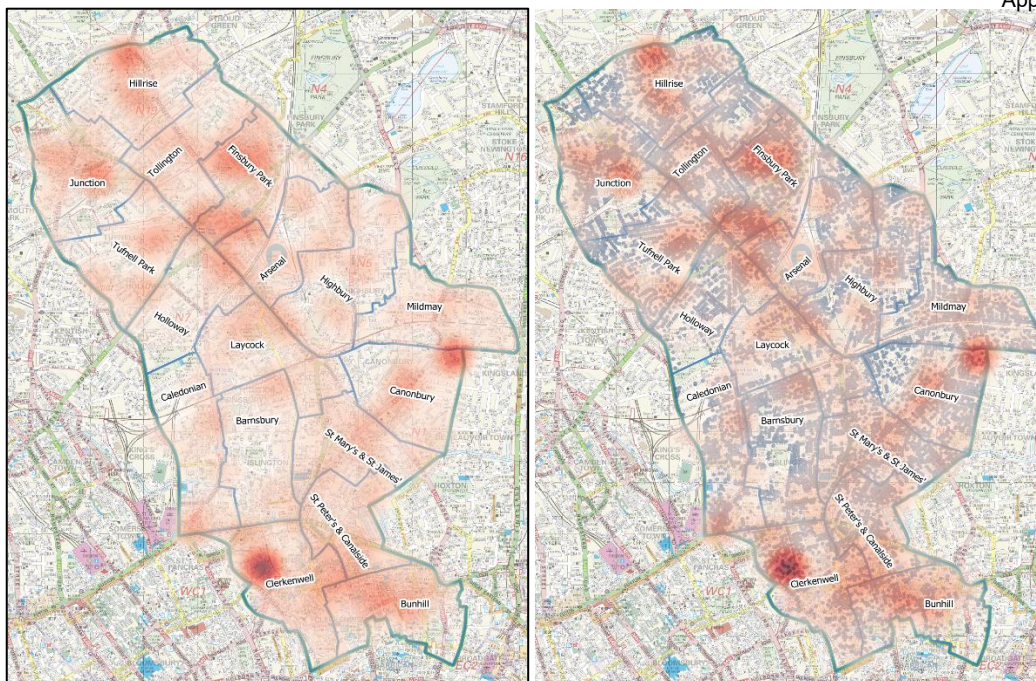
- 1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2019
- 1<sup>st</sup> January 2020 to 31<sup>st</sup> December 2020

The top 6 wards ASB complaints to the council were Clerkenwell, Finsbury Park, Bunhill, Hillrise Junction and Canonbury. The increase in ASB calls to council is thought to have been triggered by Covid 19 lockdown Table 40 shows the data by ward.

Table 34. Number of ASB calls to the council by ward.

Ward	Total ASB calls to the council in 2019	Total ASB calls to the council in 2020	Percentage increase	Total cases
Clerkenwell	1,552	2,258	45%	3,810
Finsbury Park	1,284	2,414	88%	3,698
Bunhill	1,394	1,521	9%	2,915
Hillrise	956	1,920	101%	2,876
Junction	915	1,841	101%	2,756
Canonbury	877	1,827	108%	2,704
Arsenal	936	1,565	67%	2,501
St Peter's & Canalside	988	1,459	48%	2,447
Highbury	1,060	1,340	26%	2,400
Laycock	938	1,290	38%	2,228
Tufnell Park	937	1,254	34%	2,191
St Mary's & St James'	1,037	1,119	8%	2,156
Tollington	797	1,332	67%	2,129
Mildmay	837	1,212	45%	2,049
Caledonian	807	1,077	33%	1,884
Barnsbury	805	993	23%	1,798
Holloway	777	972	25%	1,749
<b>TOTAL</b>	<b>16,897</b>	<b>25,394</b>	<b>50%</b>	<b>42,291</b>

F11. Map 16 shows the distribution of the LB Islington ASB cases. The left-hand map shows the cases as a heat map and the right-hand map shows the heat map overlaid on the dot map of PRS properties.



Map 16 Distribution of ASB calls to the council 2019-2020.

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F12. Table 35 shows the numbers and type of ASB complaints to the council in 2019 and 2020. The highest category of complaint was neighbour nuisance with 18,161 recorded calls. 9.8% of these complaints were in **Clerkenwell** ward. **Finsbury Park** had the highest number of complaints in the categories of 'rowdy or inconsiderate behaviour,' vehicle nuisance / inappropriate use and other ASB.'

Table 35. ASB complaints to the council - complaint types and wards with highest numbers.

Category	Number of complaints	Highest ward	2 <sup>nd</sup> highest ward	3 <sup>rd</sup> highest ward
<b>Animal problems</b>	1481	Canonbury	Hillrise	Highbury & Clerkenwell
<b>Drugs</b>	3121	Hillrise	Finsbury Park	Laycock
<b>Environmental ASB (graffiti etc.)</b>	1809	Tollington	Bunhill	Arsenal
<b>Neighbour nuisance</b>	18161	Clerkenwell	Finsbury Park	Junction
<b>Noise</b>	10645	Bunhill	Clerkenwell	Finsbury Park
<b>Rowdy / inconsiderate behaviour</b>	4360	Finsbury Park	Hillrise	Arsenal
<b>Street population (drinking etc.)</b>	724	St Peter's & Canalside	Laycock & Clerkenwell	Caledonian
<b>Vehicle nuisance / inappropriate use</b>	621	Finsbury Park	St Peter's & Canalside	St Mary's and St James'
<b>Other ASB</b>	1369	Finsbury Park	Junction	Highbury
<b>TOTAL</b>	42,291	Finsbury Park	Clerkenwell	Bunhill

F13. Table 36 shows the combined numbers of ASB complaints to the police and council over two years. The police and council received the highest number of complaints about ASB in Finsbury Park, Clerkenwell, Junction, Bunhill and Hillrise (highlighted in red)

Table 36. Total number of ASB calls over 2019 and 2020.

Ward	Council ASB complaints 2019-2020	Police ASB complaints 2019-2021	Total ASB complaints
<b>Finsbury Park</b>	3,698	1,873	5,571
<b>Clerkenwell</b>	3,810	1,322	5,132
<b>Junction</b>	2,756	1,522	4,278
<b>Bunhill</b>	2,915	1,211	4,126
<b>Hillrise</b>	2,876	1,058	3,934
<b>Laycock</b>	2,228	1,435	3,663
<b>St Peter's &amp; Canalside</b>	2,447	1,186	3,633
<b>Tollington</b>	2,129	1,443	3,572
<b>Canonbury</b>	2,704	849	3,553
<b>Arsenal</b>	2,501	996	3,497
<b>Highbury</b>	2,400	959	3,359
<b>St Mary's &amp; St James'</b>	2,156	1,159	3,315
<b>Caledonian</b>	1,884	1,292	3,176
<b>Tufnell Park</b>	2,191	885	3,076
<b>Mildmay</b>	2,049	976	3,025
<b>Holloway</b>	1,749	1,089	2,838
<b>Barnsbury</b>	1,798	854	2,652
<b>TOTAL</b>	<b>42,291</b>	<b>20,109</b>	<b>62,400</b>

F14. Table 37 shows the ward data on:

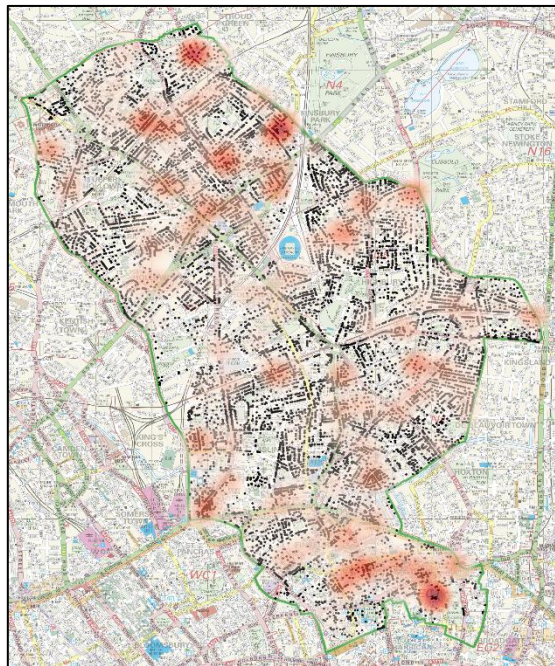
- the number numbers of ASB calls to the council that could be directly related to an PRS property;
- the percentage of all complaint properties that were private rented;
- the percentage of the unique PRS addresses in each ward with an ASB complaint;
- the average number of complaints per PRS property.

The wards with the highest number of ASB complaints relating to PRS properties were **Bunhill, Finsbury Park Hillrise Tollington** and **Caledonian**.

Table 37. Number of ASB complaints at PRS properties and as a percentage of the PRS over 2-year period.

Ward	ASB complaints relating to PRS properties	Other ASB complaints (incl. street level)	% ASB complaints about PRS properties	Number of unique properties
Bunhill	449	2466	15.4%	144
Finsbury Park	402	3296	10.9%	119
Hillrise	345	2531	12.0%	109
Tollington	268	1861	12.6%	124
Caledonian	248	1636	13.2%	110
Canonbury	238	2466	8.8%	104
Mildmay	220	1829	10.7%	97
Tufnell Park	216	1875	9.9%	111
Arsenal	207	2294	8.3%	89
St Peter's and Canalside	206	2241	8.4%	114
Clerkenwell	206	3604	5.4%	106
Highbury	202	2198	8.4%	86
Junction	201	2555	7.3%	96
Barnsbury	188	1610	10.5%	98
Laycock	180	2048	8.1%	86
St Mary's and St James'	179	1977	8.3%	106
Holloway	127	1622	7.3%	67
<b>TOTAL</b>	<b>4082</b>	<b>38209</b>	<b>9.7%</b>	<b>1766</b>

- F15. Map 17 shows the council ASB complaints related to PRS addresses. The black dots indicate all PRS addresses, and the red areas indicate PRS ASB complaint hotspots.



Map 17. Council ASB complaints relating to the PRS.

## ASB – Conclusions

- F15. ASB complaints are widespread across the borough and have significantly increased in 2020, although this is thought to be due to the COVID-19 lockdowns. Every ward has had over 2,500 complaints in the two years 2019 and 2020, with Finsbury Park and Clerkenwell having double this amount. Elevated levels of ASB are not exclusive to any one part of the borough, with Clerkenwell and Bunhill in the south and Finsbury Park, Junction and Hillrise in the north being the six wards with the most complaints.
- F16. The 4,082 cases of ASB that have been linked to 1,766 PRS properties, amounting to 9.65% of all ASB and 4.95% of all PRS properties have linked ASB complaints.
- F17. Around one in fifteen PRS properties in the new ward of Hillrise have had an ASB complaint to the council in the last 2 years. Bunhill, Finsbury Park, Tollington and Caledonian wards also have high levels of ASB associated with PRS properties.
- F18. As 8.5 PART E: Poor Property Conditions above explains, wards to the north and west of the borough have been found to have evidence of poor property conditions in the PRS. The evidence for ASB in part correlates with this, although other wards, such as Bunhill and Canonbury appear to have an issue with ASB but do not suffer as high levels of poor property conditions in the PRS.
- F19. ASB is therefore a supporting factor in designating the proposed wards but is not the principal reason.

## 8.7 PART G: Crime

- G1. To show that crime is a relevant criterion for the area(s) proposed for a selective licensing designation, it must be demonstrated that “the area suffers from high levels of crime, that the criminal activity affects those living in the properties in a proposed selective licensing scheme or other households and businesses in the area and that making a designation will, when combined with other measures taken in the area by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.”<sup>58</sup>.
- G2. Guidance suggests the authority should have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months; whether the crime rate in the area is significantly higher than in other parts of the local authority area; or whether the crime rate is higher than the national average. In particular, the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.
- G3. The licensing scheme must be part of a wider strategy to address crime in the designated area and can only be made if a high proportion of properties in that area are in the private rented sector. In particular the local housing authority should consider:
- whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein;
  - the nature of the criminal activity, e.g., theft, burglary, arson, criminal damage, graffiti;
  - whether some of the criminal activity is the responsibility of some people living in privately rented accommodation.<sup>59</sup>
- G4. Islington Police recorded 23,189 total notifiable offences during the period between 1 April 2020 and 31 March 2021, representing a 24% decrease in crime compared to the same period in 2019/20. The significant reductions can be partly attributed to the COVID-19 lockdowns.
- G5. Metropolitan Police statistics for the years 2019 and 2020<sup>60</sup> also showed a decrease in all recorded crime of 16.6% in Islington, compared with a 14.2% decrease for the whole of London. For residential burglary, which significantly affects the local community, there was a decrease of 20.6% compared to 21.8% for London.

Table 38 shows the total number of crimes by type for existing ward for the period between 1 April 2019 and 31 March 2020. Bunhill ward had the highest total crime numbers (3,249 cases).

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<sup>58</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – [Article 7](#)

<sup>59</sup> Selective licensing in the private rented sector - A Guide for local authorities

<sup>60</sup> Metropolitan Police. [https://data.london.gov.uk/dataset/recorded\\_crime\\_summary](https://data.london.gov.uk/dataset/recorded_crime_summary)



Table 38. Total crime by Home Office (major and minor) categories by existing Islington wards.

Crime Category	Barnsbury	Bunhill	Caledonian	Canobury	Clerkenwell	Finsbury Park	Highbury East	Highbury West	Hillrise	Holloway	Junction	Mildmay	St Georges	St Mary's	St. Peter's	Tollington	Total
<b>Burglary</b>	81	265	154	139	209	163	191	180	82	139	175	132	124	167	134	165	2500
<b>- Residential</b>	50	109	89	121	85	96	138	141	74	108	136	120	105	80	76	126	1654
<b>- other</b>	31	156	65	18	124	67	53	39	8	31	39	12	19	87	58	39	846
<b>Criminal damage</b>	102	124	110	102	87	109	74	111	77	103	110	83	62	117	72	98	1541
<b>Drugs</b>	128	85	142	49	77	123	101	113	61	83	72	57	57	139	100	53	1440
<b>Fraud / Forgery</b>	<5	8	5	<5	<5	6	5	5	<5	<5	7	<5	<5	6	<5	8	73
<b>Other accepted crime</b>	142	199	189	141	155	194	131	188	197	232	184	155	109	186	165	178	2745
<b>Other notifiable offences</b>	41	20	62	23	23	31	25	28	15	32	25	26	22	45	26	21	465
<b>Robbery</b>	98	201	77	39	87	159	123	118	37	45	119	104	78	120	121	51	1577
<b>Sexual Offences</b>	32	54	43	10	34	36	23	29	22	29	27	21	27	40	27	18	472
<b>Theft / Handling</b>	881	1771	998	479	1133	1121	851	683	328	483	674	659	424	1637	984	559	13665
<b>Violence against the person</b>	456	522	593	260	391	643	393	479	302	454	397	374	284	606	381	424	7059
<b>Total</b>	1965	3249	2373	1244	2199	2585	1917	1934	1124	1603	1890	1614	1189	3063	2013	1575	31537

- G6. Police statistics for the years 2018 and 2019 show an increase in all crime and residential burglary in Islington of 5.8% and 26.4% respectively. This compares with the whole of London, which had an increase of 9.7% in all crime, but a decrease of 0.2% in residential burglary. What we cannot know is whether crime levels will increase again to similar levels as 2018/19 once the pandemic is over.

Figure 31 shows the long-term crime trend between April 2015 and March 2021. This covers the following crime types:

- violence against the person
- sexual offences
- robbery
- burglary
- vehicle offences
- theft
- arson and criminal damage
- drug offences
- possession of weapons
- public order offences
- miscellaneous crimes against society.

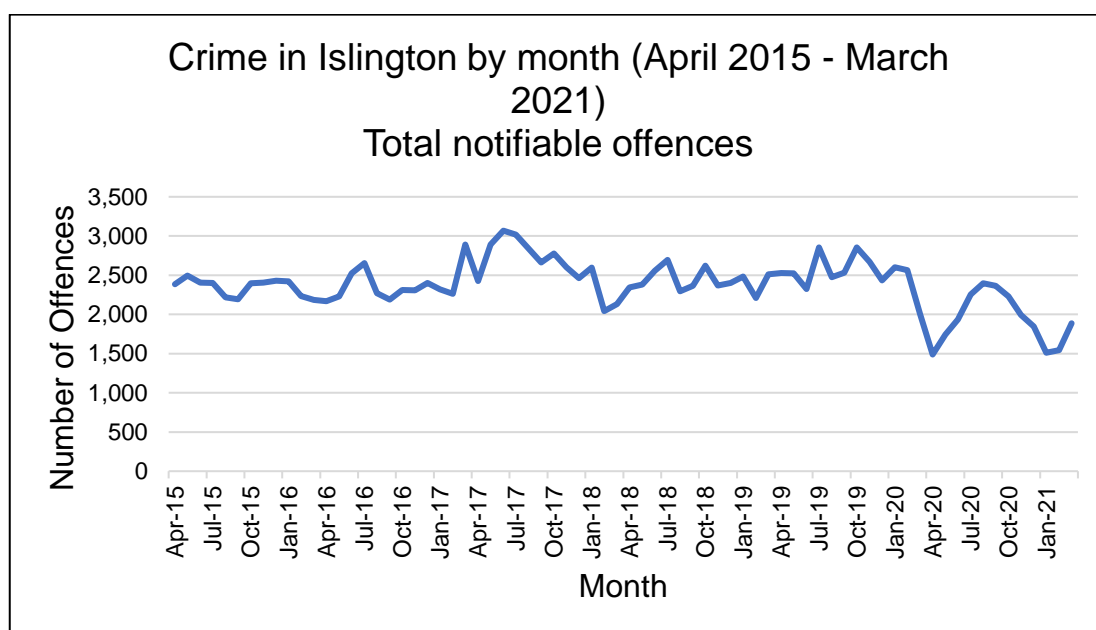


Figure 31. Islington long term crime trend.

- G7. Based on the Home Office crime types for 2020/21, Islington is ranked highly across the London for personal robbery (6<sup>th</sup> out of 32 boroughs) – partially driven by pedal cycle enabled crime, theft, and handling (7<sup>th</sup> out of 32 boroughs).
- G8. There has been a 14% increase in robbery offences in Islington in the past 12 months, compared to the same period the previous year, although levels are lower than earlier in 2018. A group who were known to be offending in the north of the borough were identified and the necessary support and enforcement measures were put in place. Figure 32 shows the long-term trend for robbery in Islington.

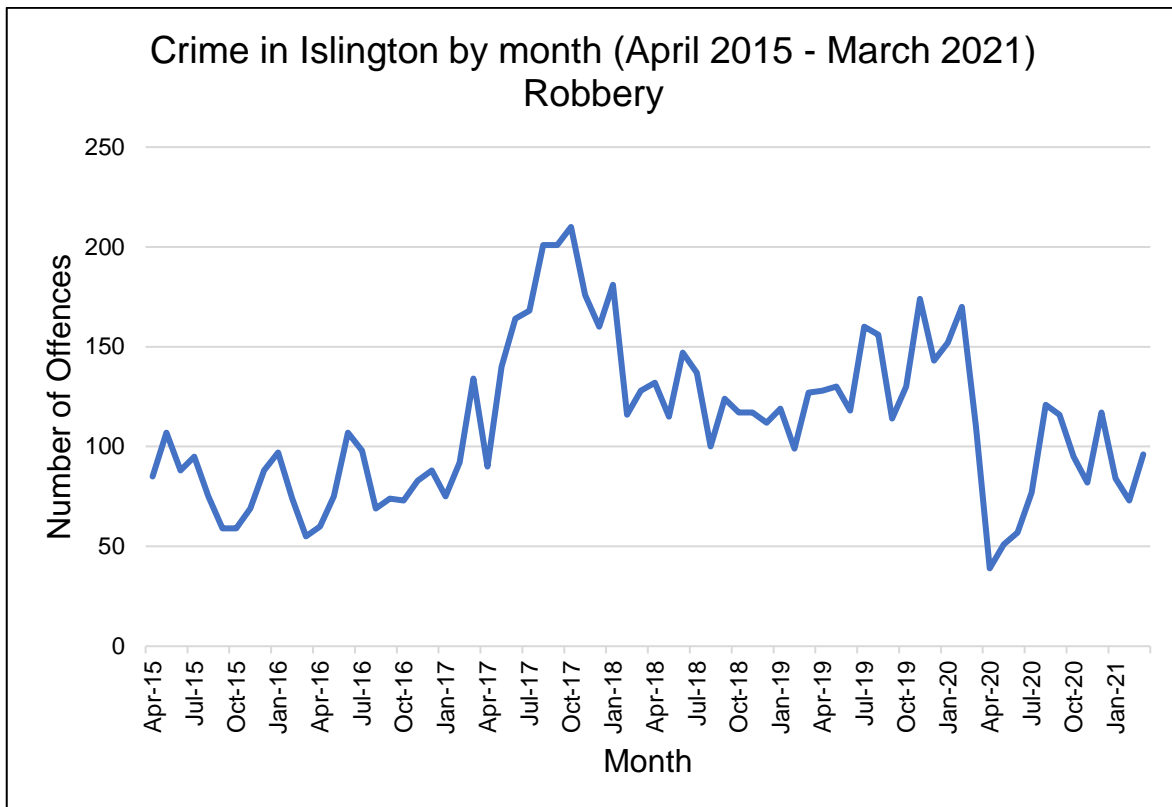


Figure 32. Islington long term robbery trend.

G9. Islington has also recorded an increase in public order offences. Some of this can be attributed to an increase in neighbour complaints, also tensions raised due to COVID-19 (i.e., people not wearing masks) and street-based harassment. Figure 33 shows the long-term trend in public order offences.

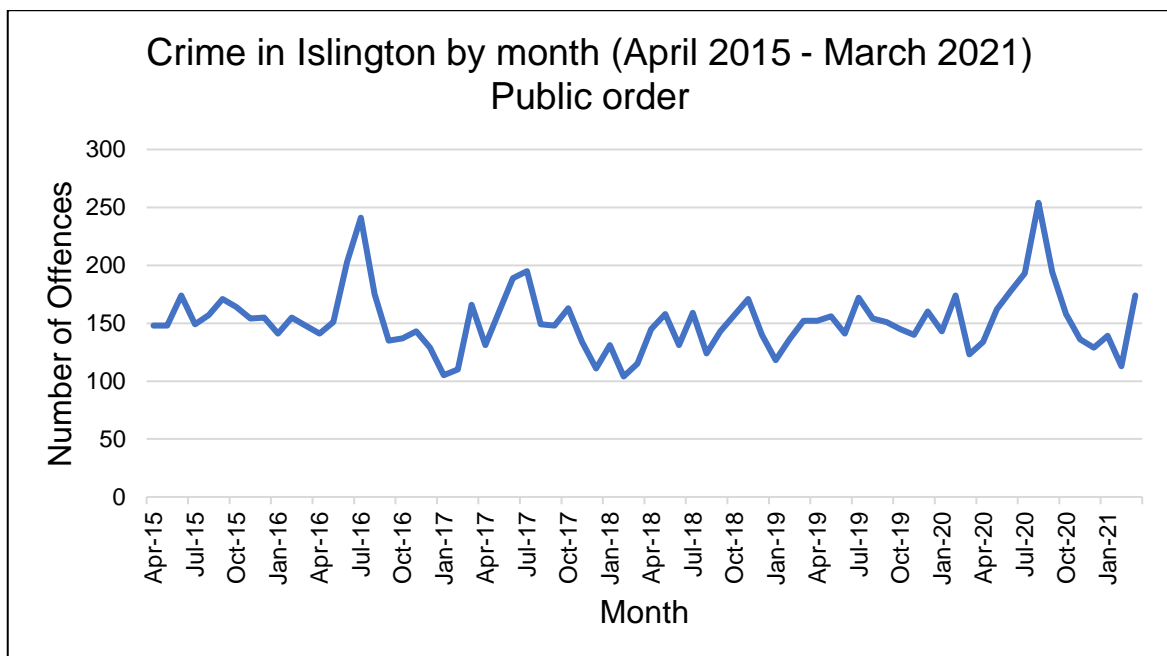


Figure 33. Islington long term public order trend.

- G10. Islington has recorded significant reductions in the volume of moped related crime, however, is still ranked 3<sup>rd</sup> out of 32 London Boroughs. Islington is ranked 2<sup>nd</sup> out of 32 boroughs for pedal cycle enabled crime, which is still a high-volume category of crime on the borough linked to theft snatches and robberies.
- G11. Islington has recorded significant reductions in youth violence (a 35% reduction), recording reductions higher than the rest of London which was 31% reduction, however there are still some significant ongoing tensions among groups of young people on the borough. Islington has recorded a 5% reduction in knife crime (non-domestic) where the victim was aged between 1 and 24. Across London there have been a larger reduction of 25%.

Figure 34 shows the long-term trend for violence against the person.

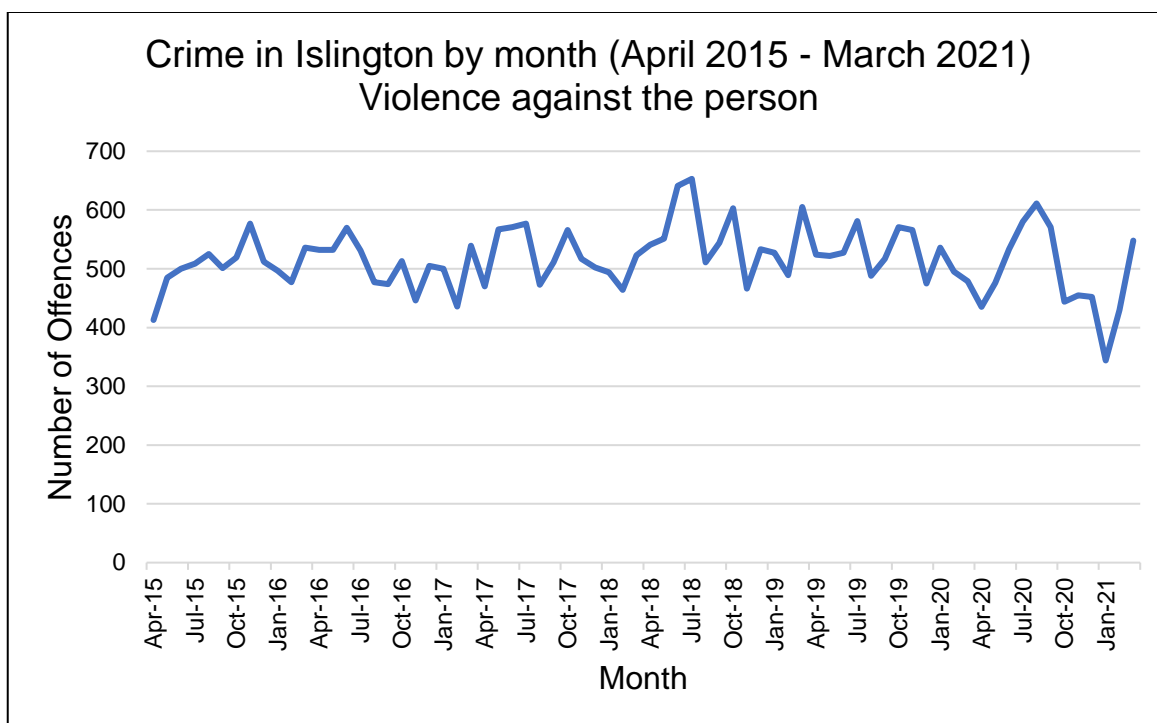


Figure 34. Islington long term violence against the person trend.

- G12. Islington has recorded a 2.5% increase in detections of domestic abuse offences and was ranked 1<sup>st</sup> out of 32 for the highest level of detections for the 12-month period between 1 April 2020 and 31 March 2021.
- G13. As mentioned above, residential burglary reduced by around one fifth in 2020. Figure 35 shows the long-term trend in burglary in Islington.

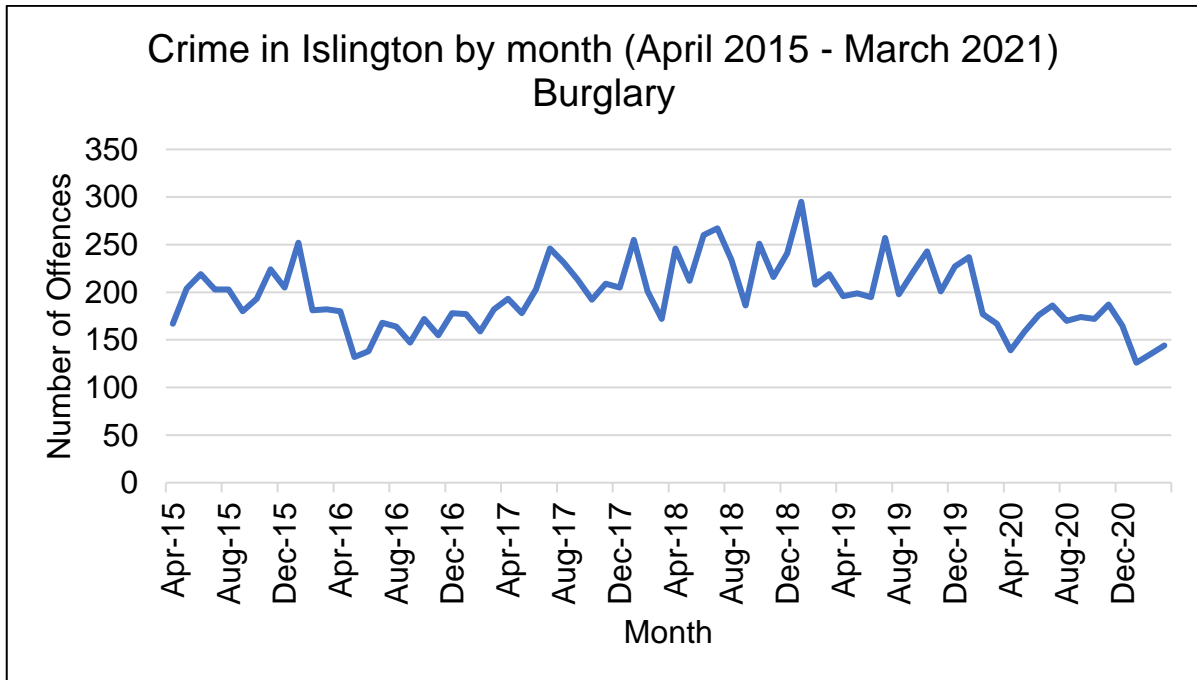


Figure 35. Islington long term burglary trend.

G14. Figure 36 shows the long-term trend in theft, Figure 37 in sexual offences, Figure 38 vehicle offences, Figure 39 criminal damage and arson, Figure 40 drug offences and Figure 41 possession of offensive weapons trend.

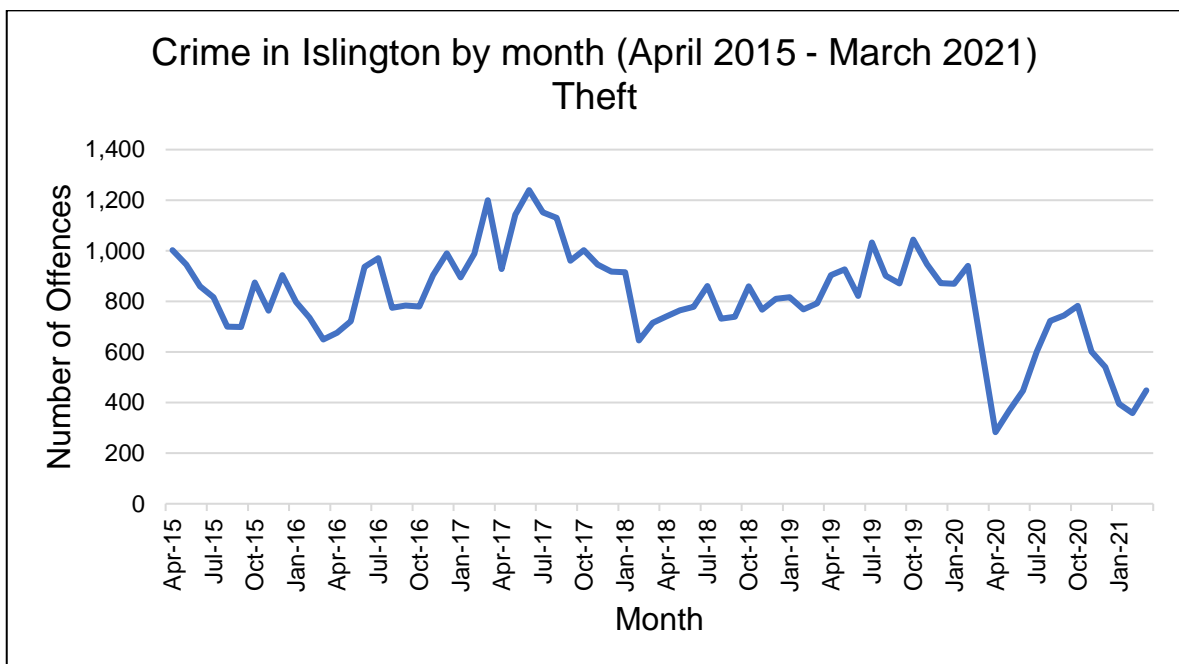


Figure 36. Islington long term theft trend.

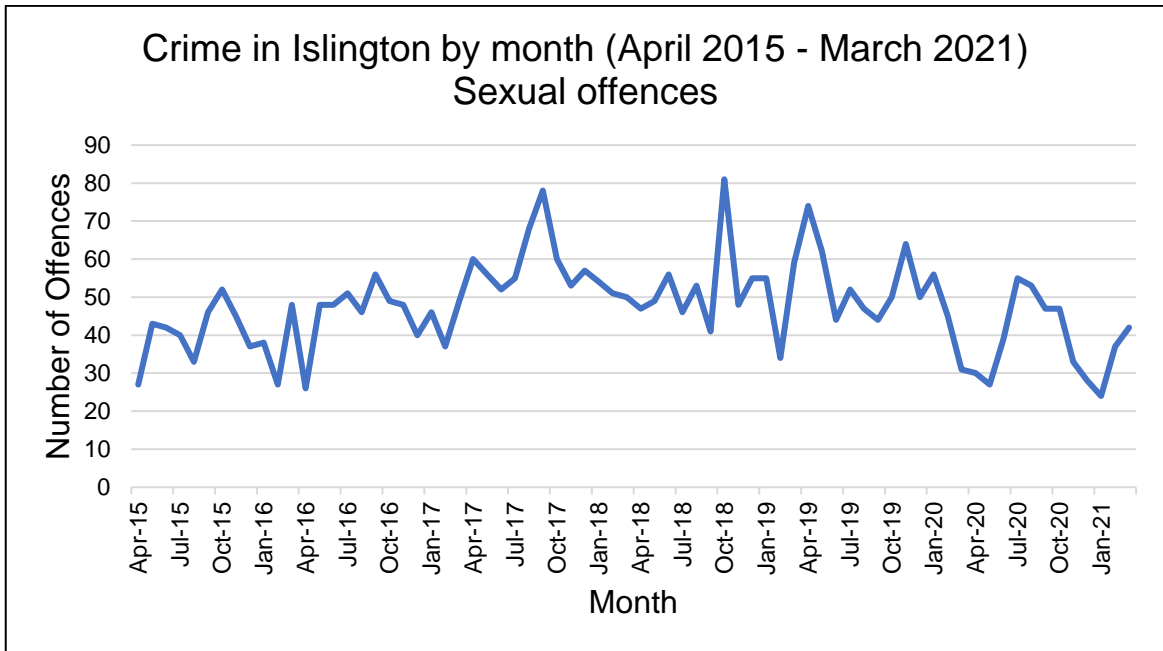


Figure 37. Islington long term sexual offences trend.

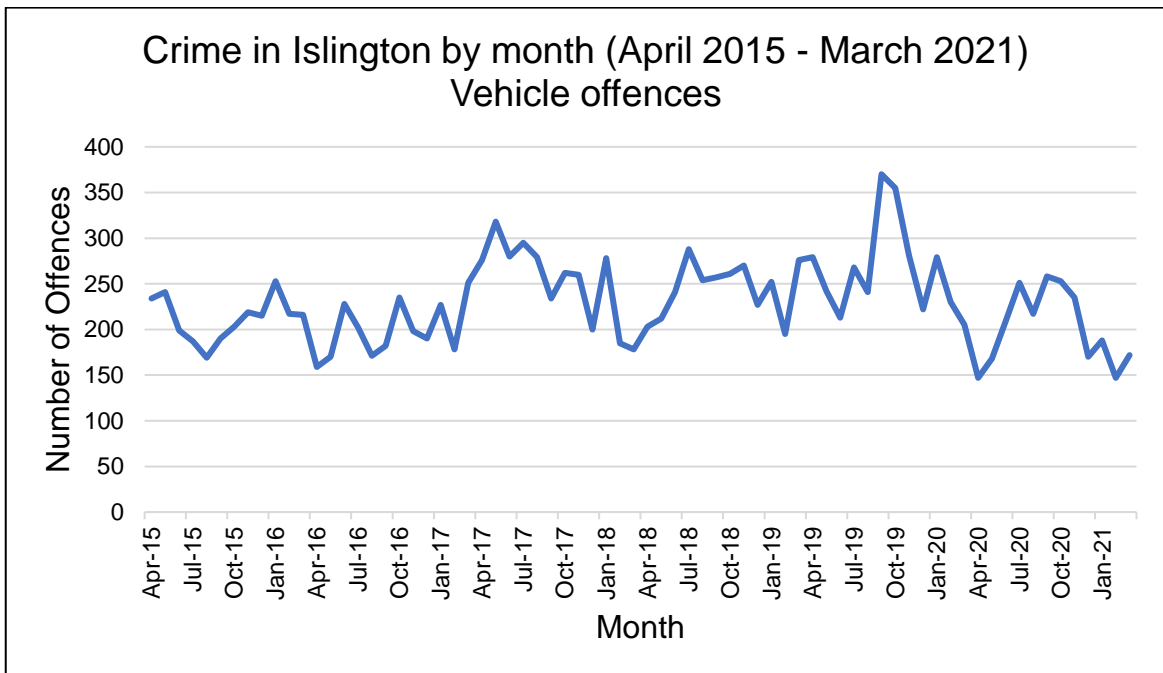


Figure 38. Islington long term vehicle offences trend.

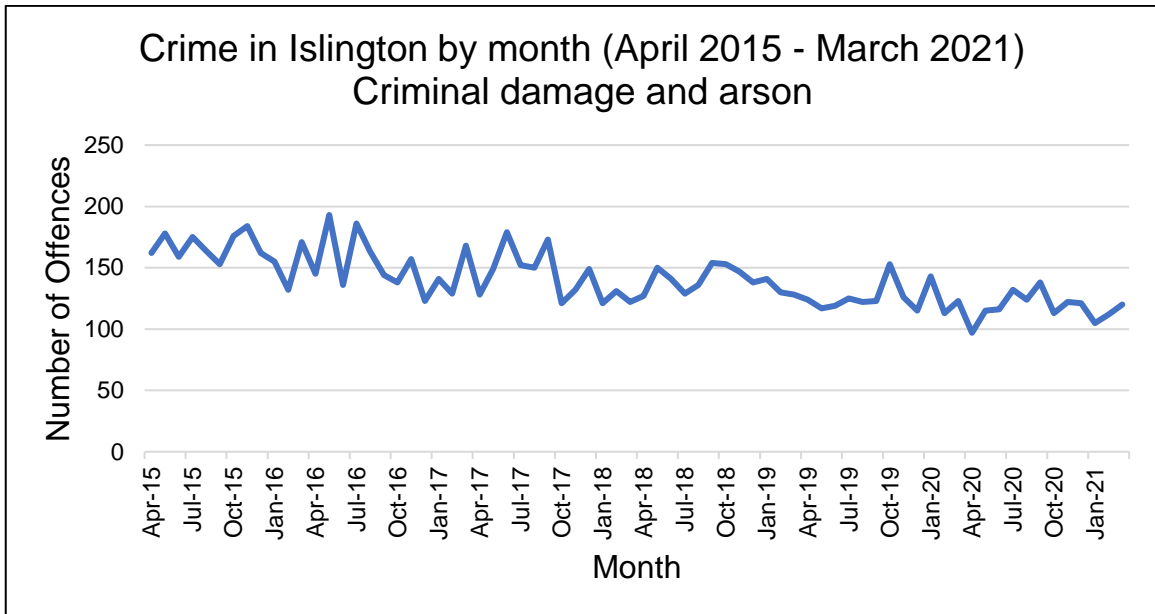


Figure 39. Islington long term criminal damage and arson trend.

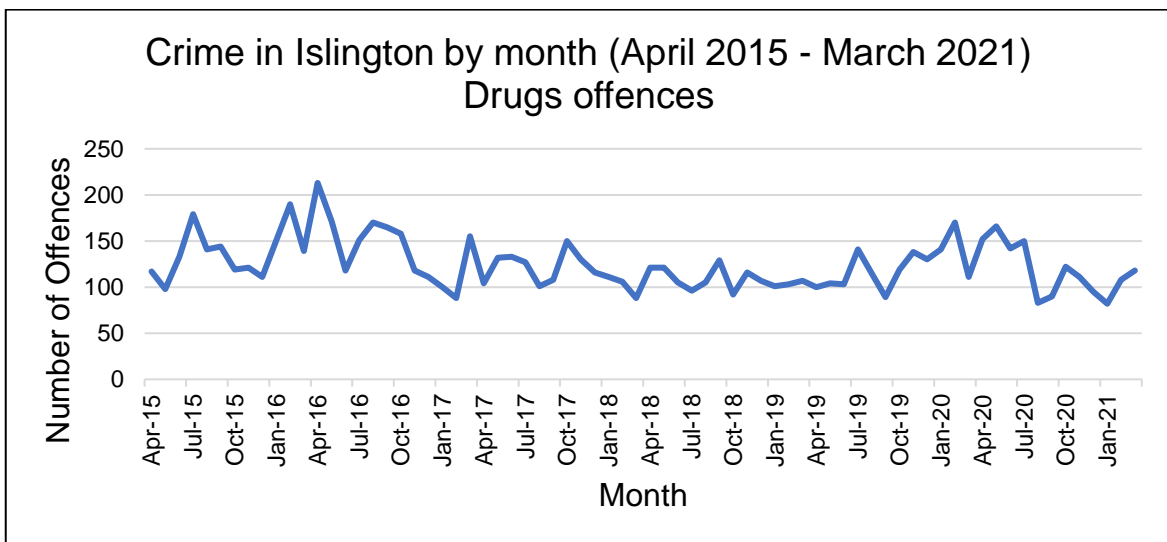


Figure 40. Drug offences by month.

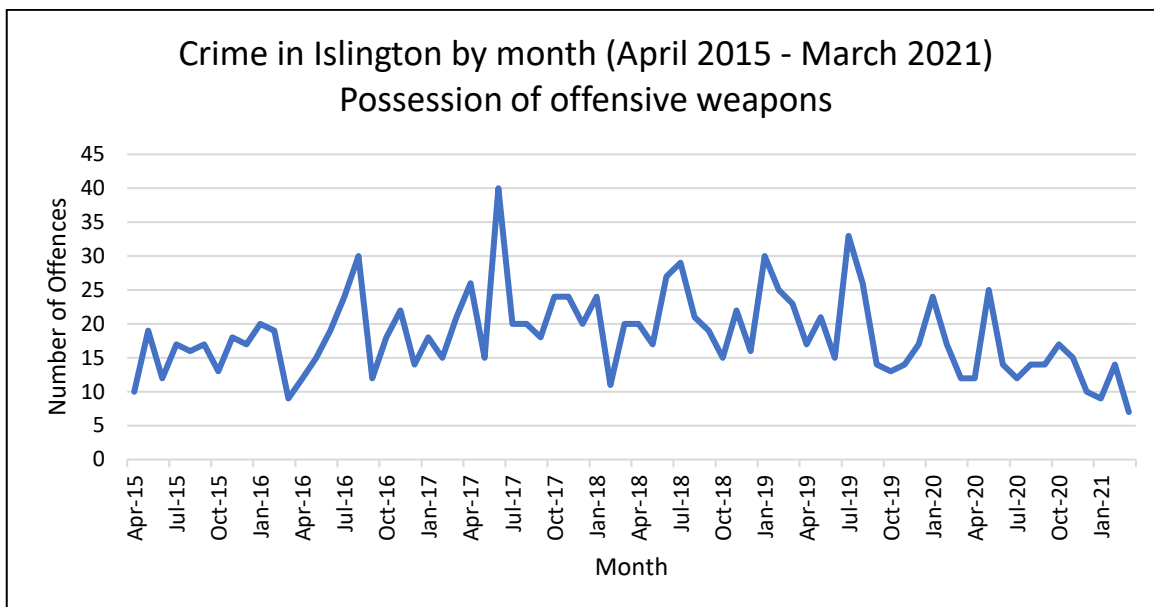


Figure 41. Islington long term possession of offensive weapons trend.

- G15. Crime statistics have reduced nationally due to the COVID-19 pandemic, with fewer residential burglaries due to people staying at home. In analysing crime data and the PRS, it is more indicative therefore to look back at the previous 12 months for a more representative position.
- G16. Data was analysed for the two full calendar years of 2019 and 2020. The new ward of **Finsbury Park** recorded the highest volume of crime in the borough in 2020 (2,526 offences), whilst the new ward of **St. Mary's & St. James'** had the highest total across the two years. **Canonbury** was the only ward that recorded an increase in crime in 2020 compared to 2019, however, the ward still recorded the fifth lowest overall volume. Bunhill recorded the largest reduction in crime in 2020 compared to 2019 (-34%). Table 39 shows the total crime per new ward for 2019 and 2020 across the relevant categories for consideration for selective licensing. Those above average are highlighted in red.



Table 39. Crime cases in 2019 and 2020 per new ward.

Ward	Crime in 2019	Crime in 2020	Percentage Change	Crime cases 2019 & 2020
St Mary's & St James'	2,803	2,342	-16%	5,145
Finsbury Park	2,551	2,526	-1%	5,077
Bunhill	2,697	1,782	-34%	4,479
Clerkenwell	2,413	1,808	-25%	4,221
Laycock	2,155	1,997	-7%	4,152
Caledonian	2,232	1,588	-29%	3,820
Junction	1,895	1,730	-9%	3,625
St Peter's & Canalside	1,851	1,392	-25%	3,243
Mildmay	1,666	1,576	-5%	3,242
Tollington	1,755	1,443	-18%	3,198
Barnsbury	1,785	1,311	-27%	3,096
Highbury	1,601	1,477	-8%	3,078
Hillrise	1,449	1,230	-15%	2,679
Tufnell Park	1,309	1,219	-7%	2,528
Canonbury	1,242	1,281	3%	2,523
Arsenal	1,241	1,103	-11%	2,344
Holloway	1,198	1,041	-13%	2,239
<b>TOTAL</b>	<b>31,843</b>	<b>26,846</b>	<b>-16%</b>	<b>58,689</b>

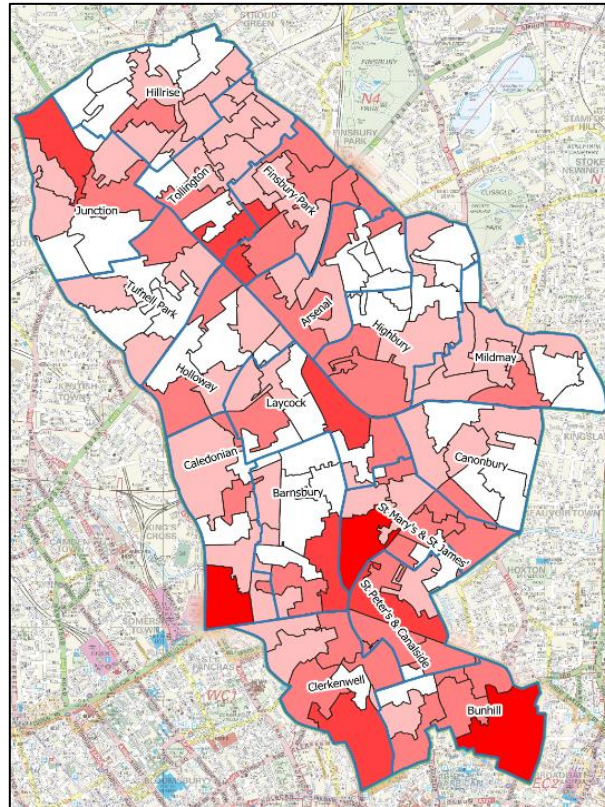
G17. Table 40 shows the numbers of offences against each offence type and the three wards with the highest numbers of offences per category. Theft and handling had the most offences (23,780), followed by violence against the person (14,254) over the two years. **Finsbury Park** had the highest number of offences for drugs, robbery, and sexual offences. **St. Mary's & St. James'** was in the top three wards in all but two categories.

Table 40. Offence types and three wards with highest numbers of cases over 2019 &amp; 2020.

Category	Number of offences	Highest ward	2 <sup>nd</sup> highest ward	3 <sup>rd</sup> highest ward
<b>Burglary</b>	4743	Clerkenwell	Highbury	Bunhill
<b>Criminal damage</b>	3013	Junction	Finsbury Park	St Mary's and St James'
<b>Drugs</b>	2905	Finsbury Park	Caledonian	St Mary's and St James'
<b>Other accepted crime</b>	5658	Hillrise	St Mary's and St James'	Finsbury Park
<b>Other notifiable offences</b>	877	Caledonian	Finsbury Park	St Mary's and St James'/Laycock
<b>Robbery</b>	2601	Finsbury Park	Junction	Bunhill
<b>Sexual offences</b>	858	Finsbury Park	St Mary's and St James'	Caledonian
<b>Theft and handling</b>	23780	Bunhill	St Mary's and St James'	Finsbury Park
<b>Violence against the person</b>	14254	Finsbury Park	St Mary's and St James'	Laycock

G18. Police data is not available for crime in relation to specific addresses and so it is not possible to correlate crime data with PRS data.

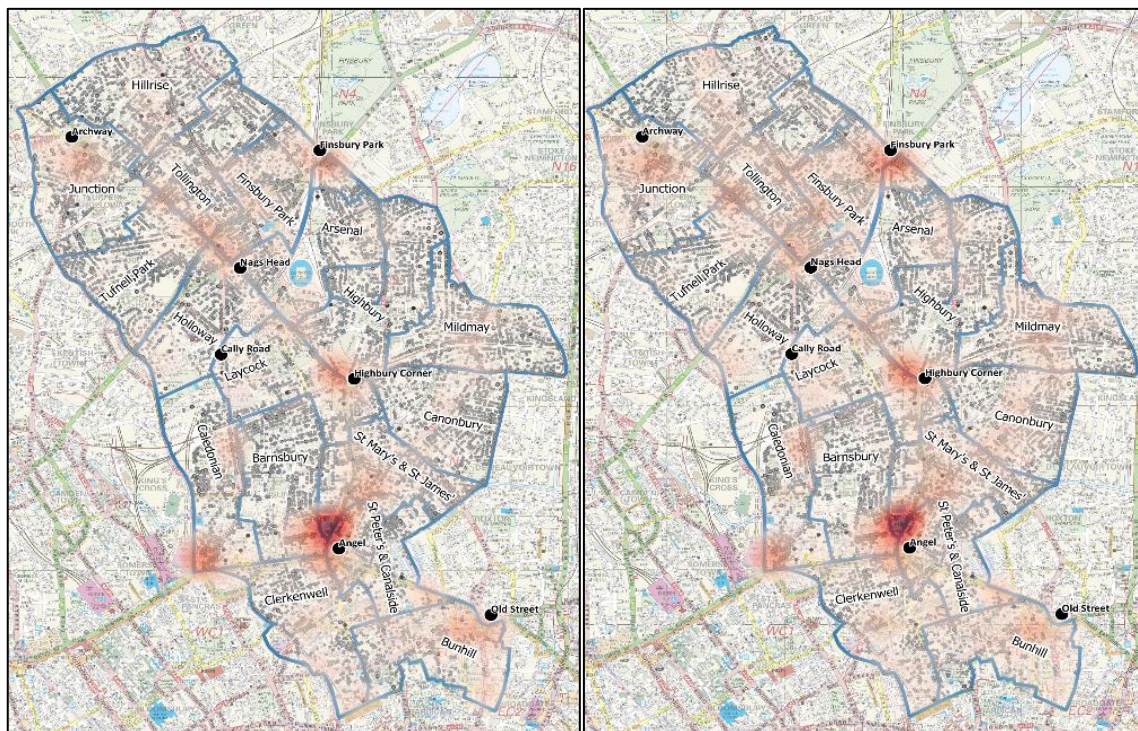
G19. Map 18 shows the distribution of volumes of crime by Lower Super Output Areas (LSOA) overlaid on the new ward boundaries from the 2019 data. The LSOAs with the highest numbers are shaded in the darkest red. It can be seen that every ward has areas where crime levels are high. Crime levels are highest in the south of the borough.



Map 18 Distribution of all crime (volume) across LSOAs in Islington.

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G20. Map 19 shows the distribution of crime offences by grey dots and concentrations overlaid by the red heat shading. 2019 crime is on the left and 2020 on the right. There are high concentrations around areas such as Angel, Highbury Corner and Finsbury Park. Although numbers were higher in 2019, the distribution is very similar.



Map 19 Distribution of 2019 and 2020 crime offences.

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## Crime – Conclusions

- G21. High levels of crime are not exclusive to any one part of the borough. Criminal offences are widespread, although they decreased in 2020, which is thought to be due to the COVID-19 lockdowns. Every ward has had over 2,200 offences in the two years 2019 and 2020, with **St. Mary's & St. James'** and **Finsbury Park** having double this amount.
- G22. As the data for 2019 to 2020 is not representative due to COVID-19, it is more relevant to consider the data from 2018 to 2019. There was an increase in Islington for overall crime less than the London average, but a much higher increase in burglary compared to the London average. There is no doubt that the area suffers from high levels of crime and that the criminal activity will affect those living in the PRS. Islington displayed a noticeable increase in crime over a brief period (between 2018 and 2019). The crime rate in the wards of **St. Mary's & St. James', Finsbury Park, Bunhill, Clerkenwell, Laycock, Caledonian** and **Junction** is significantly higher than in other parts of the local authority area.
- G23. As Section 8.5 – PART E explains, wards to the north and west of the borough have been found to have evidence of poor property conditions in the PRS. The evidence for crime in part correlates with this, although other wards, such as St. Mary's & St. James', Bunhill and Clerkenwell appear to have high levels of crime, but do not suffer as high levels of poor property conditions in the PRS.

Crime is therefore a supporting factor in designating the proposed wards but is not the principal reason.

## 8.8 PART H: Deprivation

- H1. To show that deprivation is a relevant criterion for a selective licensing designation, it must be demonstrated that the area is suffering from a high level of deprivation, which affects a significant number of private renters and that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to a reduction in the level of deprivation in the area<sup>61</sup>.
- H2. These are the relevant indicators of deprivation:
- the employment status of adults
  - the average income of households
  - the health of households
  - the availability and ease of access to education, training and other services for households
  - housing conditions
  - the physical environment
  - levels of crime.
- H3. The following data has been taken from the English Indices of Deprivation 2019 - Index of Multiple Deprivation (IMD).<sup>62</sup>
- H4. The Indices of Multiple Deprivation (IMD) 2019, ranked Islington as the 53rd most deprived local authority area in England (out of 317 local authorities), using the rank of average score method. This was down from being the 24<sup>th</sup> most deprived in the previous IMD in 2015. Islington is now the 6th most deprived local authority in London, down from 5<sup>th</sup> in 2015. Islington has the tenth highest level of income deprivation affecting children, and fourth highest in England for income deprivation affecting older people.

### Index of Multiple Deprivation – Overall rank

- H5. The country is divided into 32,844 Lower Super Output Area (LSOAs) and there are 123 LSOAs in Islington. All LSOAs are given an overall rank based upon the level of deprivation across all the indices, where the area ranked 1 is deemed the most deprived in the country and the area ranked 32,844 is the least deprived.
- H6. The most deprived LSOA in Islington is in Junction ward and the least deprived LSOA is Islington Holloway ward
- H7. Table 41 lists the existing wards in order of 2019 IMD ranking, with the most deprived at the top. Wards with a higher ranking compared to 2015 are highlighted red and those with a lower ranking are highlighted green.

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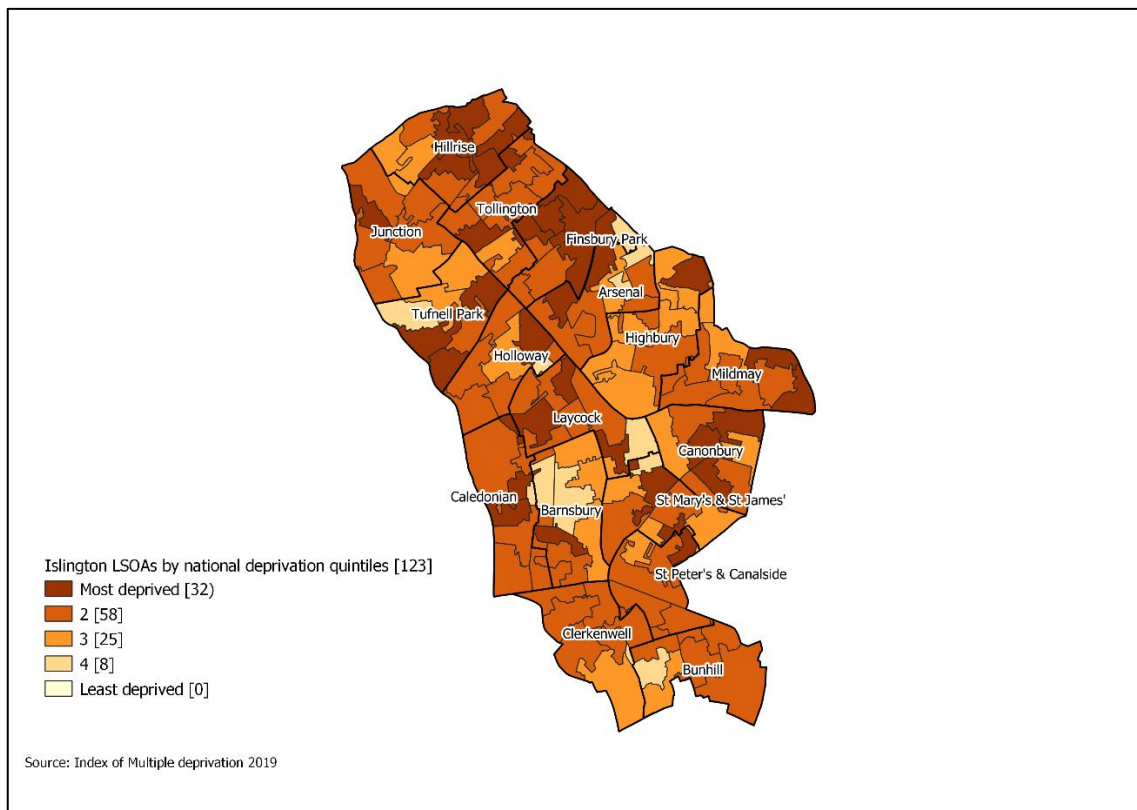
<sup>61</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 - [Article 6](#)

<sup>62</sup> <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>

Table 41. Rank and average deprivation score using the 2019 IMD,

Rank in 2019	Existing ward	Average 2019 IMD score
1	Finsbury Park	34.4
2	Junction	30.9
3	Tollington	30.8
4	Caledonian	30.2
5	Hillrise	30.2
6	Holloway	29.2
7	Mildmay	29.0
8	St George's	28.4
9	Canonbury	28.3
10	St Peter's	27.3
11	Clerkenwell	25.9
12	St Mary's	25.6
13	Barnsbury	24.0
14	Highbury West	24.0
15	Bunhill	23.7
16	Highbury East	20.8

- H8. Map 20. Map of Islington LSOAs, by national deprivation quintiles, 2019 IMD. shows the 123 LSOAs shaded according to the national deprivation quintiles, where the darkest shaded LSOAs are the in the most deprived 20% nationally with an overlay showing the new ward boundaries.



Map 20. Map of Islington LSOAs, by national deprivation quintiles, 2019 IMD.

H9. Although LSOA boundaries are not matched to the new ward boundaries, however, it has been possible to translate the IMD 2019 quintiles to the new wards with reasonable accuracy. Figure 42 shows the total number of LSOAs in the 1<sup>st</sup> quintile, (ie 20% most deprived nationally) per new ward and the total number of LSOAs in each ward. 32 out of 123 LSOAs are in the 1<sup>st</sup> quintile nationally. **Finsbury Park** had the most, followed by **Hillrise**.

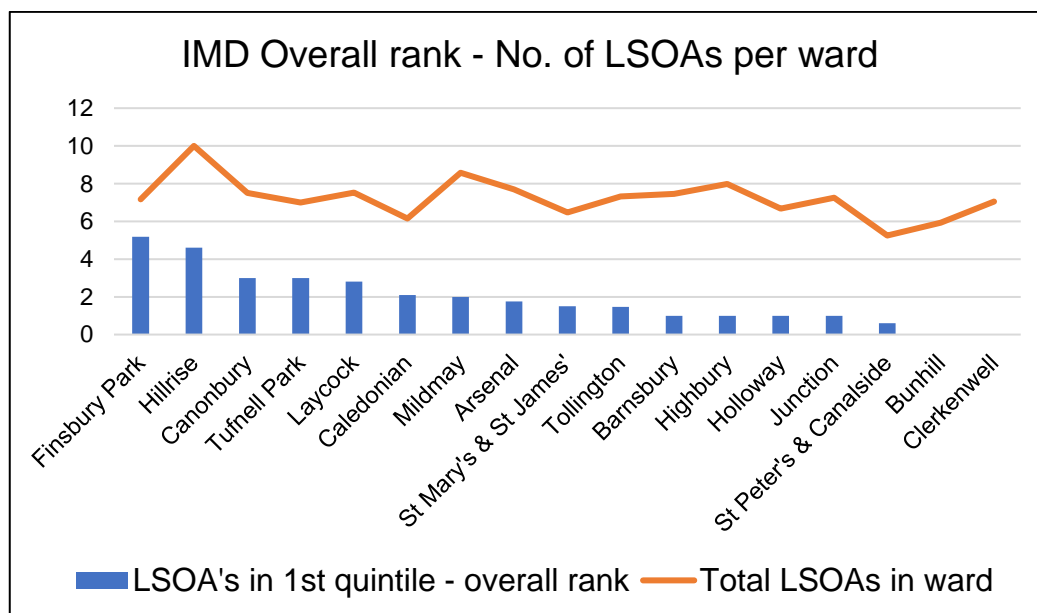


Figure 42. Number of LSOAs in top 20% most deprived areas nationally.

### IMD – Employment rank

- H10. This domain measures the proportion of the working age population in an area involuntarily excluded from the labour market.
- H11. Figure 43 shows that **Hillrise**, **Finsbury Park** and **Tufnell Park** wards are the most deprived for this domain.

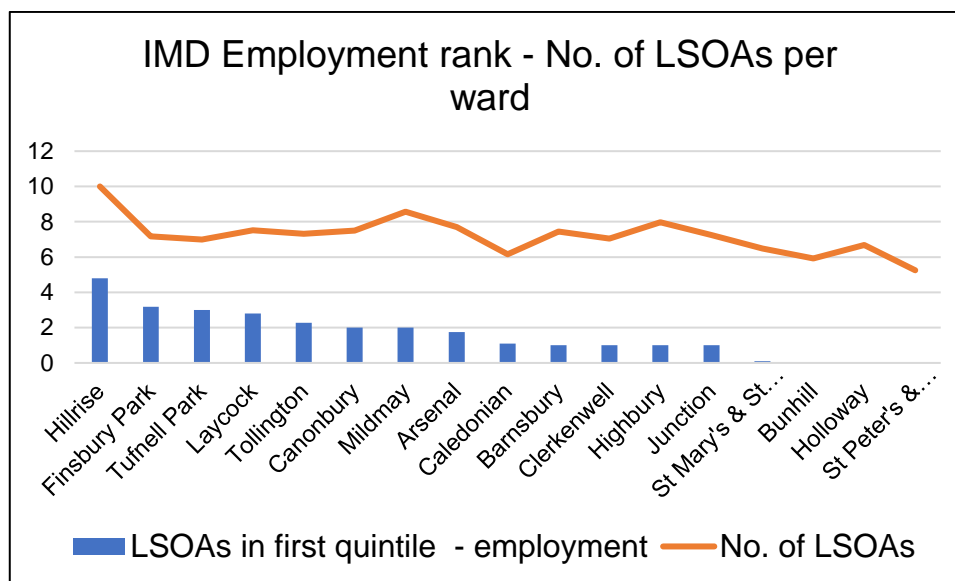


Figure 43. Number of LSOAs in top 20% most deprived for employment.

### IMD – Income rank

- H12. This domain measures the proportion of the population experiencing deprivation relating to low income.
- H13. Figure 44 shows that **Hillrise** and **Finsbury Park** wards have most LSOAs in the top quintile.



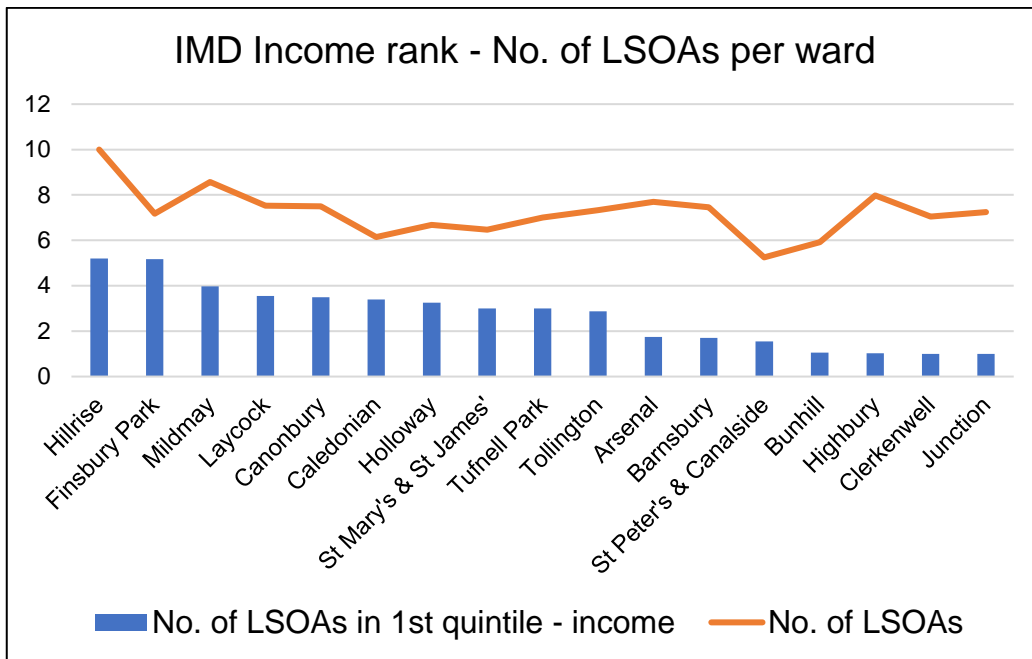


Figure 44. Number of LSOAs in top 20% most deprived for income.

**IMD – Health and disability rank**

- H14. This domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health.
- H15. Figure 45 shows **Mildmay, Tufnell Park, Hillrise** and **Laycock** wards are the most deprived areas for health and disability.

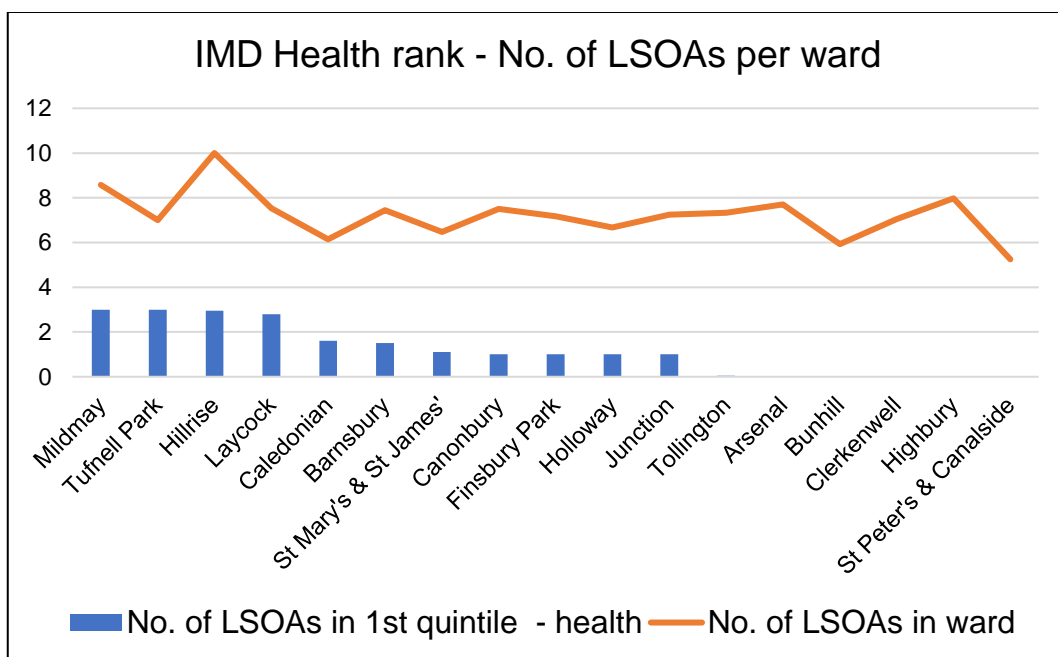


Figure 45. Number of LSOAs in top 20% most deprived for health.

**IMD – Ease of access to education and training**

- H16. This domain measures the lack of attainment and skills in the local population.

H17. For the education and training index, one LSOA, located in the St. Mary's & St. James' and St. Peter's & Canalside wards. is in the 1<sup>st</sup> quartile (top 25%)

### IMD – Barriers to housing and services

H18. This domain measures the physical and financial accessibility of housing and local services.

H19. There are 32 out of 123 LSOAs across the borough falling into the most 20% deprived band for this domain. Figure 46 shows the number of LSOAs in the 20% most deprived for barriers to housing per ward. **Holloway, Arsenal, Finsbury Park, Bunhill and Tufnell Park** have the most LSOAs in the 1<sup>st</sup> quintile.

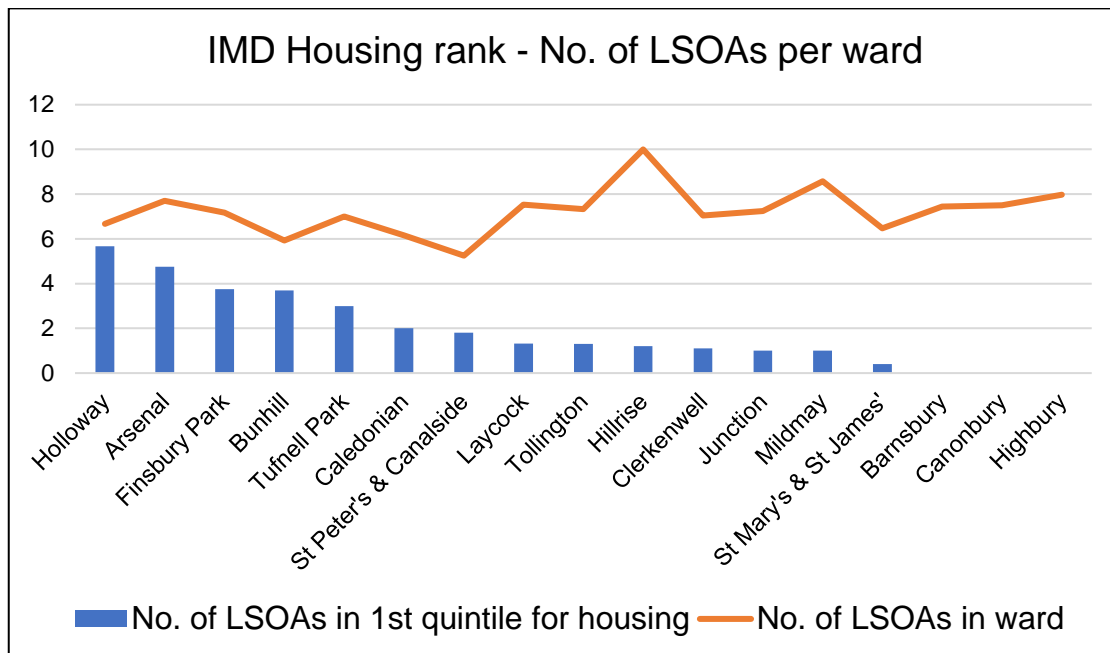


Figure 46. Number of LSOAs in top 20% most deprived for barriers to housing and services.

### IMD – Living Environment

H20. This domain measures the quality of both the indoor and outdoor local environment.

H21. 60 out of 123 LSOAs in Islington are in the most deprived 20% nationally for this domain. Figure 47 shows all LSOA's in St. Peter's & Canalside ward fall within this band. An LSOA in Arsenal ward is the 79<sup>th</sup> most deprived nationally for this index. **Arsenal, Clerkenwell, St. Peter's & Canalside, Bunhill, St. Mary's & St. James'** and **Junction** wards are the most deprived for the living environment.

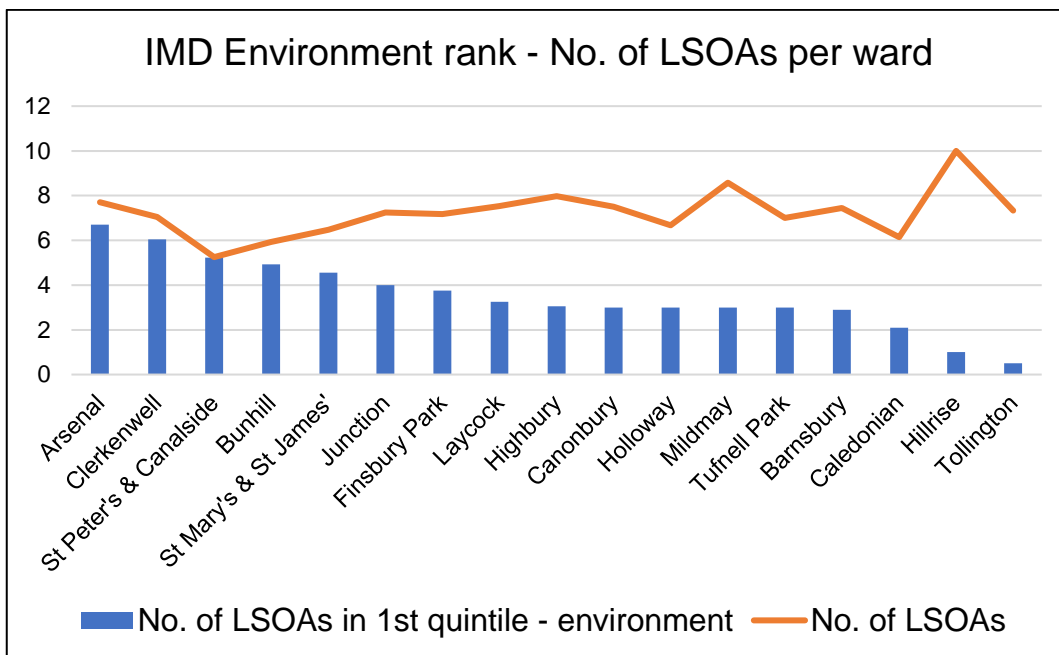


Figure 47. Number of LSOAs in top 20% most deprived for the living environment.

### IMD – Crime

H22. This domain measures the risk of personal and material victimisation at local level.

H23. 55 out of 123 LSOA's in Islington that fall within the 20% most deprived areas nationally for this domain. **Junction, Tollington, Finsbury Park, Canonbury, Laycock and Tufnell Park** wards are the most deprived for crime. One LSOA in Junction ward is the 176<sup>th</sup> most deprived for crime nationally.

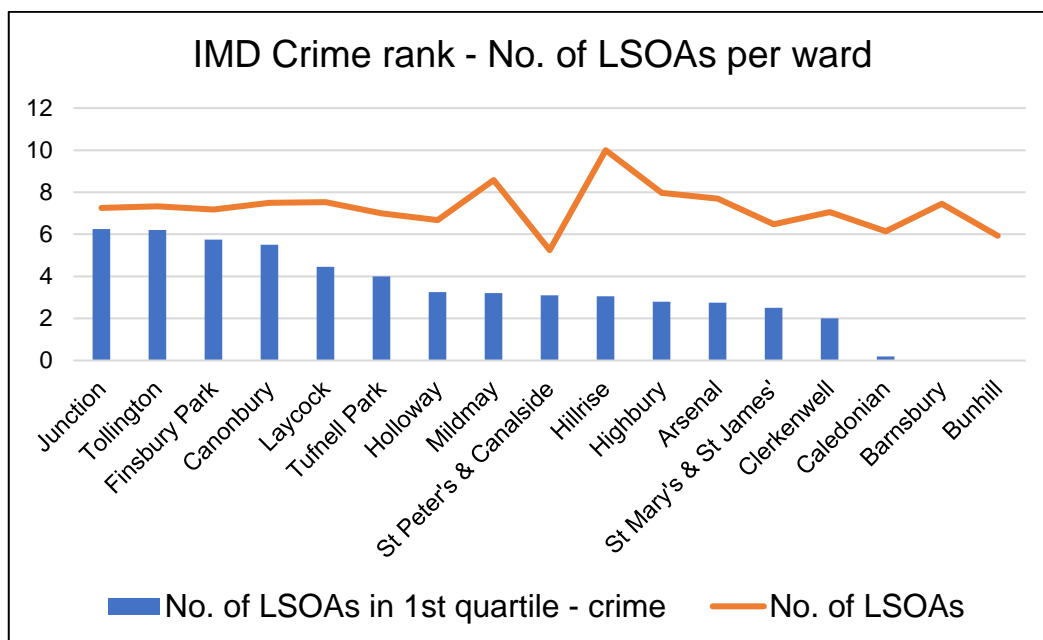


Figure 48. Number of LSOAs in top 20% most deprived for crime. Deprivation – Conclusions

H24. There are areas of deprivation throughout Islington with a concentration of LSOA areas in the top 20% nationally located in the North and North East of the borough.

H25. Deprivation is a supporting factor in the proposal to include the new wards of Finsbury Park and Hillrise in the selective licensing designation.

## 8.9 PART I: Migration

11. To show that migration is a relevant criterion for the designation of a selective licensing scheme, it must be demonstrated that the area has recently experienced or is experiencing an influx of migration into it.<sup>63</sup>
12. Guidance suggests that migration refers to the movement of people from one area to another. It includes migration within a country and is not restricted to migration from overseas. Authorities should consider whether the area has experienced a significant increase in the size of the population over a brief period. In assessing this, the local housing authority should consider whether net migration into the designated area has increased the population of the area.
13. The guidance goes on to suggest a population increase of around 15% or more over a 12-month period would be indicative that the area has or is experiencing an elevated level of migration into it.
14. Table 42 shows the change in mid-year population estimates for each ward in 2018 and 2019.<sup>64</sup> Although there has been a population increase it was below the 15% threshold.

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<sup>63</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 - [Article 5 \(a\)](#)

<sup>64</sup>Office for National Statistics.

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/lowersuperoutputareamidyearpopulationestimates>

Table 42. Population increase 2018-2019 by ward.

Ward	2018 mid-year population estimate	2019 mid-year population estimate	% Increase
Holloway	19047	19787	3.9%
Bunhill	18992	19660	3.5%
St Peter's	13967	14298	2.4%
Finsbury Park	17813	18208	2.2%
St Mary's	13301	13553	1.9%
Caledonian	16148	16390	1.5%
Highbury West	18782	19041	1.4%
Highbury East	13471	13646	1.3%
Clerkenwell	13257	13386	1.0%
Canonbury	12969	13064	0.7%
Junction	13063	13150	0.7%
Barnsbury	13752	13836	0.6%
Mildmay	14449	14476	0.2%
St George's	12968	12980	0.1%
Tollington	14429	14422	-0.1%
Hillrise	12734	12570	-1.3%
<b>TOTAL</b>	<b>239,142</b>	<b>242,467</b>	<b>1.4%</b>

15. To aid understanding of population growth and migration the following data has been analyse over a longer timeframe
- Population growth
  - Internal migration
  - International migration
    - New National Insurance Registrations (NINos) for overseas migrants.
    - New GP Registrations for overseas migrants

### Population growth

16. The population of Islington increased by 30,000 (17%) between 2001 and 2011, to 206,100 residents.
17. The ONS 2018 estimate for the population of Islington in 2021 is 247,717. This is an increase of approximately 20.2% (41,617 people) since 2011.
18. ONS population growth estimates for the 10 years from 2018 to 2028 for England is 4.9%. 8.7% growth is projected for Islington in same period and 8.4% for London as a whole.

19. Looking at the mid-year population estimates over a five-year period between 2014 and 2019<sup>65</sup> by ward, Table 43 shows that Bunhill ward had the highest percentage increase over 5 years of 19.7%, with six wards above the average population increase for Islington.

Table 43. Percentage change in population estimates 2014-2019.

Ward	Mid 2019	Mid 2014	Increase	% increase
Bunhill	19,660	16,431	3,229	19.7
Holloway	19,787	16,924	2,863	16.9
Finsbury Park	18,208	15,745	2,463	15.6
Highbury West	19,041	16,684	2,357	14.1
St Peter's	14,298	12,539	1,759	14.0
Barnsbury	13,836	12,480	1,356	10.9
St Mary's	13,553	12,538	1,015	8.1
Highbury East	13,646	12,643	1,003	7.9
Clerkenwell	13,386	12,445	941	7.6
Junction	13,150	12,433	717	5.8
Caledonian	16,390	15,551	839	5.4
Tollington	14,422	13,723	699	5.1
Mildmay	14,476	13,791	685	5.0
Hillrise	12,570	12,087	483	4.0
St George's	12,980	12,614	366	2.9
Canonbury	13,064	12,777	287	2.2
<b>TOTAL</b>	<b>242,467</b>	<b>221,405</b>	<b>21,062</b>	<b>9.5</b>

110. Figure 49 shows the population growth trend based upon mid-year estimates for Islington from 1999 to 2019.

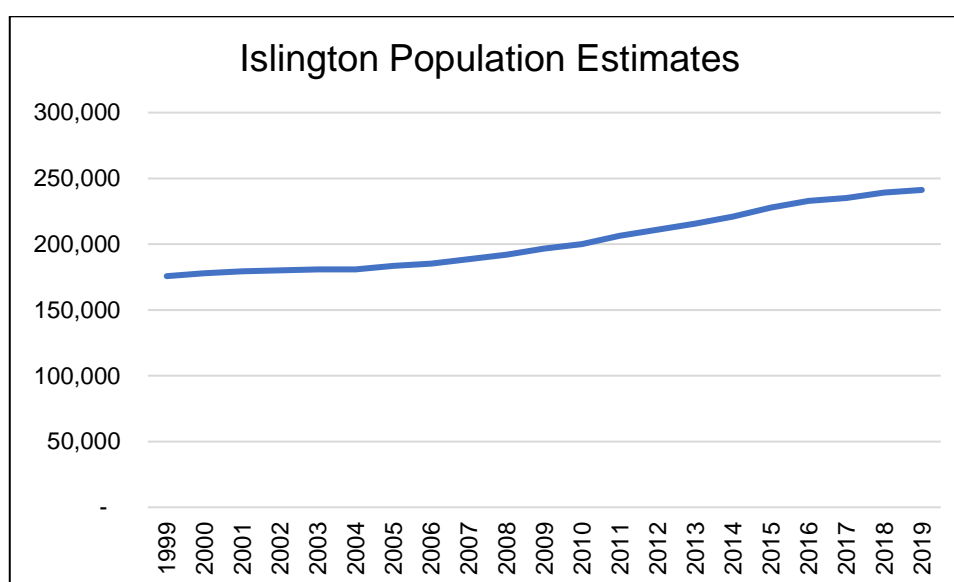


Figure 49. Population growth in Islington 1999-2019.

<sup>65</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/wardlevelmidyearpopulationestimates/experimental>

## Internal migration

- I11. Figure 50 shows the internal migration between other parts of the UK and Islington between 2009 and 2019. Inflow and outflow both increased over the 10 year period but outflow was greater than inflow which meant that there was net negative internal migration in Islington.

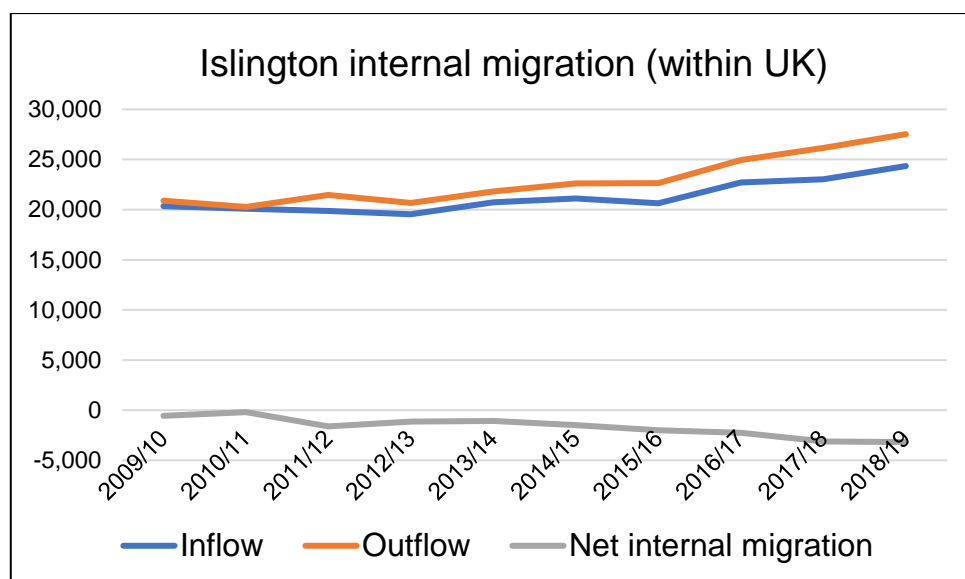


Figure 50. Internal migration (within UK) to Islington 2009-2019.

## Overseas migration

- I12. In 2020, 35% of Islington residents were born outside of the United Kingdom compared to 35% in London as a whole and 14.8% in England<sup>66</sup>. According to the ONS, in 2019, Islington had the 5<sup>th</sup> highest net international migration of people in London and is more than twice the average for London.<sup>67</sup>
- I13. Figure 51 shows the Islington population estimates for non-UK born people from 2010 to 2019, showing a steady increase from below 60,000 to over 80,000. Although there was a dip in 2017 to 2018, numbers have increased sharply in 2019 showing there is significant international migration into Islington.<sup>68</sup>

<sup>66</sup> ONS. Population of the UK by country of birth and nationality

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/populationoftheunitedkingdombycountryofbirthandnationality>

<sup>67</sup> <https://data.london.gov.uk/dataset/migration-indicators>

<sup>68</sup> ONS. <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/migrationwithintheuk/datasets/localareamigrationindicatorsunitedkingdom>



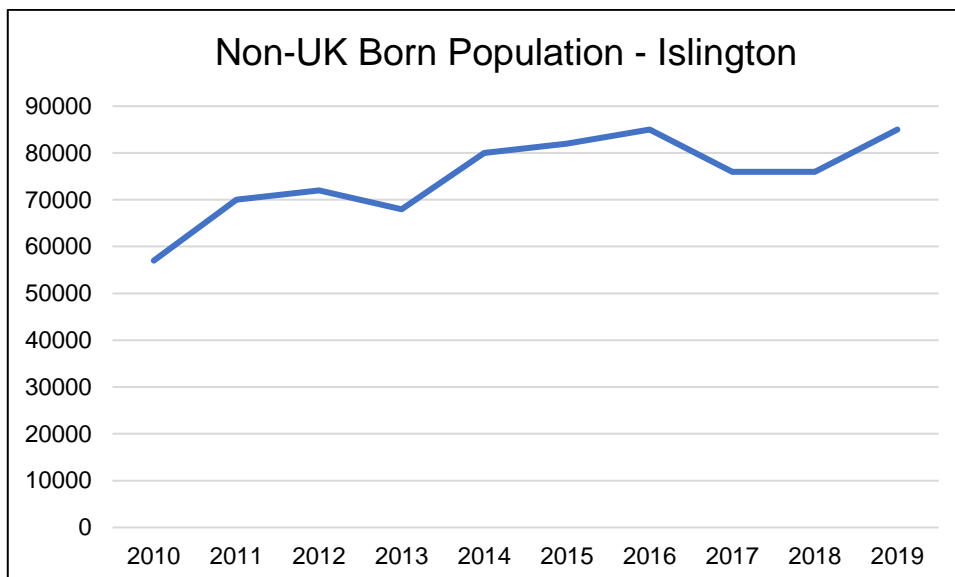


Figure 51. Non-UK born population estimates for Islington 2010-2019.

I14. Figure 52 shows the inflows and outflows and net international migration for Islington over the period 2010-2019.

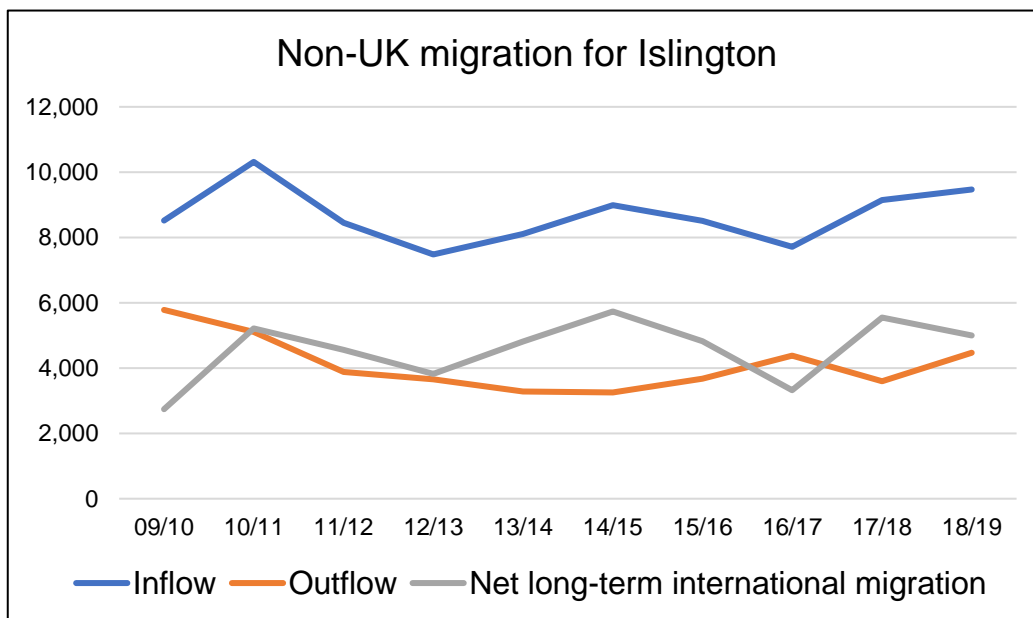


Figure 52. Non-UK international migration for Islington 2010-2019.

**New National Insurance Registrations (NINOs)**

I15. A recognised indicator of migration is the increase in NINOs for overseas migrants.

I16. Figure 53 shows the NINOs registrations in Islington between 2010 and 2019.

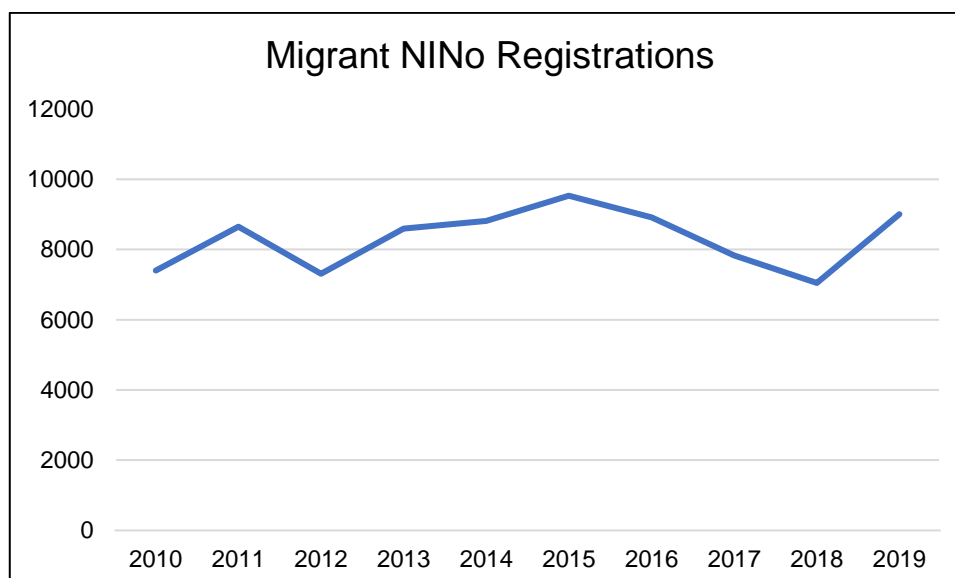


Figure 53. Migrant NINo registrations 2010-2019.

### New GP registrations

117. Figure 54 the new migrant GP registrations over the same period. This shows a different picture to NINOs, in that there has been a steady increase over the same period, with the total in 2019 the highest ever in Islington at 9,739<sup>69</sup>, the 13<sup>th</sup> highest in London and in increase of 5.6% from 2018 and almost 70% over the 10-year period.

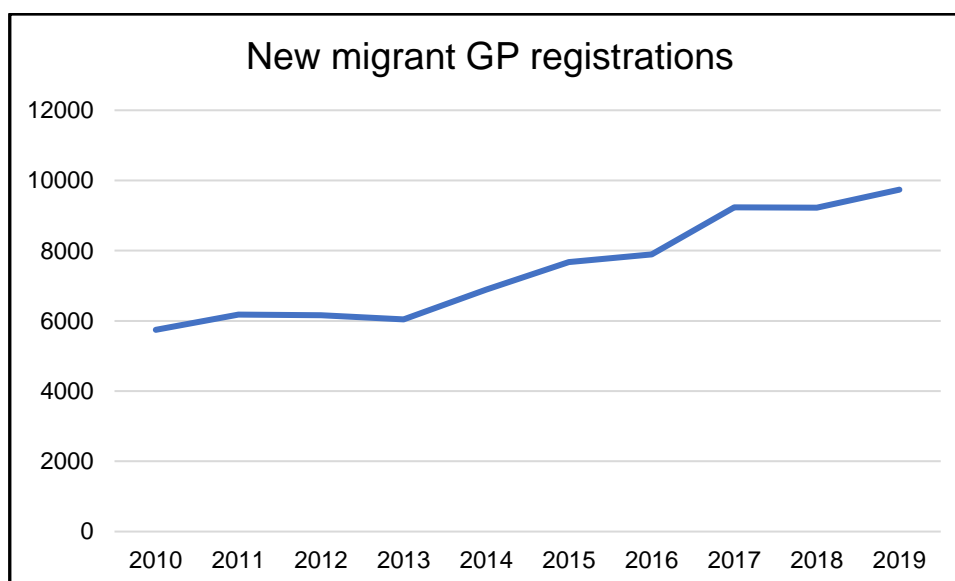


Figure 54. New migrant GP registrations for Islington 2010-2019.

### Migration – Conclusions

118. In summary, the existing **Holloway** and **Bunhill** wards show the highest level of population increase. The lack of ward level data does not allow for a more detailed analysis of correlation with other data on the PRS at ward level.

<sup>69</sup> <https://data.london.gov.uk/dataset/migration-indicators?resource=e138b1ab-f276-422d-8695-03f3e2500790>

- I19. Migration is not a criterion that has been selected to support the proposal to introduce selective licensing in the new wards of Finsbury Park, Hillrise and Tollington.

## 8.10 PART J: Low Housing Demand

- J1. To show that low housing demand is a relevant criterion for the designation of a selective licensing scheme, it must be demonstrated that the area is, or is likely to become, an area of low housing demand.<sup>70</sup>
- J2. When deciding if an area is suffering from, or likely to become, an area of low housing demand, it is recommended that local housing authorities consider the following factors<sup>71</sup>:
- the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability of transport);
  - the turnover of occupiers of residential premises (in both rented and owner-occupied properties);
  - the number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied;
  - the general appearance of the locality and the number of boarded up shops and properties.
- J3. There is no evidence that the circumstances suggested in the guidance are an issue in London and so do not apply in Islington. Therefore, this criterion will not be considered further.

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<sup>70</sup> Housing Act 2004 [Section 80\(3\)](#)

<sup>71</sup> Department for Communities and Local Government. Selective licensing in the private rented sector A Guide for local authorities [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418551/150327\\_Guidance\\_on\\_selective\\_licensing\\_applications\\_FINAL\\_updated\\_isbn.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)

## 8.11 PART K: Council or Secretary of State Approval

- K1. Islington Council has general approval to introduce a selective licensing scheme that covers less than 20% of properties in the private sector or less than 20% of the geographical area of the borough. Any scheme that exceeds these limits will require approval from the Secretary of State for Levelling Up, Housing & Communities.<sup>72</sup>
- K2. Table 44 shows the numbers and percentage of the total PRS per new ward based upon the 2021 PRS analysis. The proposed wards that will be covered by the selective licensing designation are in red and in total they cover 18.26% of the PRS properties in the borough.

Table 44. Number and percentage of PRS per new ward.

New ward	Estimated number of PRS properties	PRS % of borough total
Caledonian	2669	7.5%
Bunhill	2523	7.1%
<b>Finsbury Park (1)</b>	<b>2489</b>	<b>7.0%</b>
Arsenal	2440	6.9%
<b>Tollington (1)</b>	<b>2404</b>	<b>6.7%</b>
Clerkenwell	2259	6.3%
Mildmay	2135	6.0%
Highbury	2061	5.8%
St Mary's & St James'	2057	5.8%
St Peter's & Canalside	2032	5.7%
Barnsbury	2010	5.6%
Holloway	2006	5.6%
Junction	1844	5.2%
Tufnell Park	1814	5.1%
Canonbury	1695	4.8%
<b>Hillrise (1)</b>	<b>1617</b>	<b>4.5%</b>
Laycock	1587	4.5%
<b>TOTAL</b>	<b>35,642</b>	<b>100.00%</b>

- K3. Table 45 shows the area of the new wards in square kilometres. The proposed wards that will be covered by the selective licensing designation are in red and in total they cover 18% of the geographical area of the borough.

<sup>72</sup> The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015

Table 45. Area of new wards.

Ward	Area in square km	Percentage of the borough
Highbury	1.08	7.3%
Junction	1.06	7.1%
Hillrise (1)	1.01	6.8%
Clerkenwell	0.93	6.3%
Mildmay	0.90	6.1%
Barnsbury	0.90	6.1%
Caledonian	0.88	5.9%
Canonbury	0.86	5.8%
Laycock	0.86	5.8%
Tufnell Park	0.84	5.7%
Bunhill	0.84	5.7%
Finsbury Park (1)	0.84	5.7%
Tollington (1)	0.82	5.5%
Arsenal	0.81	5.5%
Holloway	0.78	5.3%
St Mary's & St James'	0.75	5.1%
St Peter's & Canalside	0.65	4.4%
<b>TOTAL</b>	<b>14.81</b>	

- K4. The estimated total number of PRS properties in Islington is 35,645. The estimated number of PRS properties in the new wards of Finsbury Park, Tollington and Hillrise is 6510. The total percentage of the borough PRS in these three wards for the proposed designation is **18.26%**.

Table 46. Percentage of PRS in proposed designation.

New ward	Estimated number of PRS properties	% of total PRS
Finsbury Park	2489	7.0%
Hillrise	1617	4.5%
Tollington	2404	6.7%
<b>Combined</b>	<b>6510</b>	<b>18.3%</b>

- K5. Table 47 shows the geographical area of the new wards for the designation is **18.00%** of the total borough and so the proposed three new wards are not greater than 20% of the borough total.

Table 47. Area of proposed designation.

<b>New ward</b>	<b>Area in square km</b>	<b>Percentage of the borough</b>
<b>Finsbury Park</b>	0.84	5.67%
<b>Hillrise</b>	1.01	6.82%
<b>Tollington</b>	0.82	5.51%
<b>TOTAL AREA</b>	<b>2.66</b>	<b>18.00%</b>

- K6. The proposed designation therefore contains less than 20% of the borough's total PRS and is less than 20% of the total geographical area of the borough.

#### **Percentage of the PRS – Conclusions**

- K7. The proposed selective licensing designation for the new wards of Finsbury Park, Tollington and Hillrise under the poor property conditions criterion are below the 20% threshold which means that Secretary of State approval will not be required.

## 8.11 Part L: Aggregate analysis

- L1. Poor property conditions provided the clearest evidence to support selective licensing with deprivation, ASB and crime providing supporting evidence in several wards.
- L2. Having gathered the property data and assessed its relevance to the criteria for selective licensing, a methodology was devised to draw together all the relevant property condition data contained in Section 8
- L3. There was a total of 41 data sets relating to poor property conditions:
  - 27 were numerical data sets;
  - 14 were data sets expressed as a percentage of the PRS.
- L4. The numerical data sets are listed in Table 48 below.



Table 48. Numerical data sets for poor property conditions

Number	Numerical category
1	Total number of all property condition complaints
2	Number of unique addresses with property condition complaints
3	Total number of property condition complaints resulting in formal or informal action
4	Percentage of total property condition complaints requiring formal or informal action
5	Total number of property condition complaints requiring formal action
6	Percentage of total property condition complaints requiring formal action
7	Total number of all nuisance complaints
8	Number of unique addresses with nuisance complaints
9	Total number of nuisance complaints resulting in formal or informal action
10	Percentage of total nuisance complaints requiring formal or informal action
11	Total number of nuisance complaints requiring formal action
12	Percentage of total nuisance complaints requiring formal action
13	Total number of category 1 and category 2 hazards
14	Number of unique addresses with category 1 or category 2 hazards
15	Total number of category 1 hazards
16	Number of unique addresses with category 1 hazards
17	Total number of high category 2 hazards (bands D & E)
18	Number of unique addresses with high category 2 hazards
19	Average number of category 1 and category 2 hazards per address
20	Total number of interventions
21	Number of unique addresses with an intervention
22	Percentage of hazards with an intervention
23	Total number of notices served
24	Number of unique addresses with notices served
25	Total number of Housing Act notices served
26	Number of unique addresses with Housing Act notices served
27	Total number of notices served under the Environmental Protection Act and other legislation

- L5. Each data set was scored for each ward using an index, where 1 equalled the borough average for that criterion. A ward which was average across all data sets would achieve a score of 27. Table 58 below shows the results with eight wards being above average.

Table 49. Combined index score for poor property numerical data sets.

<b>Ward</b>	<b>Total of all numerical indices</b>
<b>Finsbury Park</b>	57
<b>Tollington</b>	42
<b>Caledonian</b>	41
<b>Junction</b>	40
<b>Hillrise</b>	31
<b>Laycock</b>	29
<b>Arsenal</b>	29
<b>Tufnell Park</b>	27
<b>Holloway</b>	26
<b>Barnsbury</b>	21
<b>Mildmay</b>	20
<b>St Mary's &amp; St James'</b>	18
<b>Highbury</b>	18
<b>Canonbury</b>	17
<b>St Peter's &amp; Canalside</b>	16
<b>Bunhill</b>	16
<b>Clerkenwell</b>	14

- L6. Fourteen data sets were analysed and expressed as a percentage of the PRS in the ward. These are listed in table 59 below.

Table 50. Data sets expressed as a percentage of the PRS

Number	Category
1	Total number of property condition complaints as a % of the PRS in the ward
2	Number of unique addresses with property condition complaints as a % of the PRS
3	Number of property condition complaints with action required as a % of the PRS
4	Number of property condition complaints with formal action as a % of the PRS
5	Total number of nuisance complaints as a % of the PRS in the ward
6	Number of unique addresses with nuisance complaints as a % of the PRS
7	Number of nuisance complaints with action required as a % of the PRS
8	Number of nuisance complaints with formal action as a % of the PRS
9	Number of unique addresses with category 1 and category 2 hazards as a % of the PRS
10	Number of category 1 hazards as a % of the PRS
11	Number of high category 2 hazards as a % of the PRS
12	Number of unique addresses with an intervention as a % of the PRS
13	Number of unique addresses with notices served as % of the PRS
14	Number of unique addresses with Housing Act notices served as a % of the PRS

- L7. Each data set was scored for each ward using an index, where 1 equalled the borough average for that criterion. A ward which was average across all data sets would achieve a score of 14. Table 60 below shows the results with eight wards being above average.

Table 51. Combined index score for poor property data expressed as a percentage of the PRS

<b>Ward</b>	<b>Total of all % of PRS Indices</b>
<b>Finsbury Park</b>	27
<b>Junction</b>	25
<b>Hillrise</b>	21
<b>Laycock</b>	20
<b>Tollington</b>	19
<b>Caledonian</b>	18
<b>Tufnell Park</b>	15
<b>Holloway</b>	14
<b>Arsenal</b>	12
<b>Barnsbury</b>	11
<b>Mildmay</b>	10
<b>Canonbury</b>	10
<b>Highbury</b>	9
<b>St Mary's &amp; St James'</b>	9
<b>St Peter's &amp; Canalside</b>	8
<b>Bunhill</b>	6
<b>Clerkenwell</b>	6

- L8. Having analysed the data for each ward both numerically and as a percentage of the PRS for that ward, seven wards were consistently ranked above average with Arsenal and Holloway below average in one of the two rankings.
- L9. The final analysis was to combine the index score for both numerical data and percentage data for each ward. With 41 data sets, an average ward would have total index score of 41. Table 61 below shows the results with nine wards being above average.

Table 52. Total index score for both numerical data and data expressed as a percentage of the PRS.

<b>Ward</b>	<b>Total Index</b>
<b>Finsbury Park</b>	84
<b>Junction</b>	65
<b>Tollington</b>	62
<b>Caledonian</b>	59
<b>Hillrise</b>	52
<b>Laycock</b>	50
<b>Tufnell Park</b>	43
<b>Arsenal</b>	42
<b>Holloway</b>	41
<b>Barnsbury</b>	33
<b>Mildmay</b>	31
<b>Highbury</b>	28
<b>St Mary's &amp; St James'</b>	28
<b>Canonbury</b>	27
<b>St Peter's &amp; Canalside</b>	24
<b>Bunhill</b>	22
<b>Clerkenwell</b>	20

## 9 Links to other strategies

### A Fairer Islington: Our Commitment 2018-22

- 9.1 Islington wants to ensure that all privately rented properties in the borough offer residents a choice of safe, quality and well managed accommodation. Our corporate vision was set out in the A Fairer Islington Our Commitment 2018-22.

“We have a clear vision to make Islington fairer and create a place where everyone, whatever their background, has the same opportunity to reach their potential and enjoy a good quality of life.”

Our priorities within the plan that are applicable to private sector housing include the following:

Delivering decent and genuinely affordable homes for all

- Increase the supply and choice of genuinely affordable homes
  - Make it easier for families to find a property that meets their needs, helping people to down-size when they no longer need a large property and supporting those in overcrowded conditions to move to a more suitable home
- Prevent homelessness and support rough sleepers
- Improve housing conditions for private tenants
  - Introduce a new landlord licensing scheme in Finsbury Park and Seven Sisters Road and investigate the feasibility of a borough wide landlord licensing scheme
  - Take action against rogue landlords and letting agents who treat tenants unfairly, and offer advice to private tenants

Creating a safe and cohesive borough for all

- Make sure fewer young people are victims or perpetrators of crime
- Reduce levels of crime and anti-social behaviour
  - Reduce the level of crime and ASB in partnership with the police and the local community
  - Maintain our anti-social behaviour hotline, working with the police and using tenant action to address local issues
- Keep consumers informed and safe
  - Use our licensing powers to take action against businesses who fail to follow the rules

Making Islington the best place for all young people to grow up

- Always keep children and young people safe and secure and reduce the number of children growing up in poverty
- Making Islington a welcoming and attractive borough and creating a healthy environment for all
- Keep the streets clean and promote recycling
- Ensuring our residents can lead healthy and independent lives
- Safeguard and protect older and vulnerable residents
- Help residents to live independently

## Islington Strategic Plan 2021

9.2 The Islington Strategic Plan 2021<sup>73</sup> sets out a number of ambitions, one of which is:

“With a growing population and the price of housing continuing to far outweigh wages in London, ensuring access to good quality housing that is safe and genuinely affordable for everyone in Islington is an essential priority for us in creating a fairer future for our borough.”

One of the core components of this ambition is to stand up for private renters:

“We want to see a private sector that ensures safe and dignified living conditions for all by operating good standards of management and providing good quality, affordable accommodation. We will monitor standards and take action against rogue landlords and letting agents and any poorly performing housing associations and where appropriate, will work with the police to address criminal behaviour by landlords to stamp out exploitative behaviour, inequalities and protect the rights of our residents.”

### Homelessness and Rough Sleeping Strategy

9.3 The Council also has a stand-alone strategy for homelessness<sup>73</sup>. Chapter 8 addresses the private rented sector and states:

The private rented sector (PRS) can be seen as both a source of homelessness, but also as a potential resolution. This can be evidenced consistently as one in four homelessness acceptances in Islington are of households that have become homeless because of the loss of private rented sector accommodation.

Private landlords are also increasingly less inclined to lease properties to councils or let to tenants at LHA rates as they have access to alternative tenants willing to pay higher rents.<sup>74</sup>

However, as there are insufficient numbers of homes becoming available for social rent, the PRS must be utilised, both as temporary and settled accommodation. To that end we work with landlords to:

- improve their professionalism through advice, assistance and education, through the London Landlord Accreditation Scheme;
- find suitable and affordable accommodation, rather than bed and breakfast accommodation, through lease agreements with private landlords;
- invest in energy efficiency and renewable technologies, to support vulnerable households facing fuel poverty in conjunction with the council’s SHINE network.

The joint work with landlords noted above runs alongside activities conducted by the council’s Residential Environmental Health team to raise standards of accommodation through licensing and other enforcement methods.

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<sup>73</sup> <https://www.islington.gov.uk/-/media/sharepoint-lists/public-records/housing/businessplanning/strategies/20202021/20201214homelessnessandroughsleepingstrategy201923.pdf>

<sup>74</sup>DCLG, Homelessness Roundtable, 4 December 2012

### **The Safer Islington Partnership (SIP)**

- 9.4 The partnership co-ordinates work on crime reduction and community safety in Islington. The council is a lead authority in this partnership along with the Police, London Fire Brigade, health sector, probation services and representatives from voluntary, community, faith, and business sectors.

The current priorities for the Partnership are:

- youth crime
- hate crime
- anti-social behaviour
- violence against women and girls.

- 9.5 Every year the partnership carries out a strategic assessment of crime in the borough, this is then used to determine local priorities



## Appendix 1 – List of streets included in the proposed selective licensing scheme.

This is a list of streets that would be included in the proposed licensing scheme but as some streets extend into other wards or neighbouring borough not all properties in these streets will be covered by the proposals.

Should the council decide to implement the scheme more detailed information on property addresses in scope will be provided.

<b>FINSBURY PARK</b>
ALLERTON WALK
AMBLER ROAD
ANDOVER ROAD
ANNETTE ROAD
ARTHUR ROAD
ATHELSTANE MEWS
AXMINSTER ROAD
BERKELEY WALK
BERRIMAN ROAD
BESANT WALK
BIGGERSTAFF STREET
BIRNAM ROAD
BLACKSTOCK MEWS
BLACKSTOCK ROAD
BOLTON WALK
BOWMAN'S MEWS
BRISSET WAY
CAREW CLOSE
CARVILLE STREET
CHAPMAN PLACE
CHARTERIS ROAD
CITY NORTH PLACE
CLIFTON TERRACE
COLERIDGE ROAD
CORKER WALK
DURHAM ROAD
EBURNE ROAD
FALCONER WALK
FONTHILL MEWS
FONTHILL ROAD
GOODWIN STREET
HANMER WALK
HATLEY ROAD
HEATHER CLOSE

HERCULES PLACE
HERTSLET ROAD
HOLLOWAY ROAD
HORNSEY ROAD
ISLEDON ROAD
KINLOCH STREET
LAZAR WALK
LENNOX ROAD
MAYTON STREET
MEDINA GROVE
MEDINA ROAD
MINGARD WALK
MORAY MEWS
MORAY ROAD
MORRIS PLACE
NEWINGTON BARROW WAY
PAKEMAN STREET
PARKSIDE CRESCENT
PLAYFORD ROAD
PLIMSOLL ROAD
POOLES PARK
PRAH ROAD
RAY WALK
RIXON STREET
ROCK STREET
RODEN STREET
ROMILLY ROAD
ROTH WALK
SALTERTON ROAD
SELDEN WALK
SEVEN SISTERS ROAD
SIDINGS MEWS
SIX ACRES ESTATE
SONDERBURG ROAD
ST THOMAS'S ROAD
STACEY STREET
STATION PLACE
STEVE BIKO ROAD
STROUD GREEN ROAD
THANE VILLAS
THANE WORKS
THISTLEWOOD CLOSE
TILTMAN PLACE
TODDS WALK

TOLLINGTON PARK
TOLLINGTON PLACE
TOLLINGTON ROAD
TOMLINS WALK
TRAVERS ROAD
VAL MCKENZIE AVENUE
VIVIAN COMMA CLOSE
WELLS TERRACE
WESLEY CLOSE
WHADCOAT STREET
WOODBIDGE CLOSE
WOODFALL ROAD
WYCOMBE MEWS
YONGE PARK

## HILLRISE

AMY GRIFFITHS COURT
ARCHWAY ROAD
ASHBROOK ROAD
ASHLEY ROAD
ASHMOUNT ROAD
BARBARA RUDOLF COURT
BARNFIELD CLOSE
BEACHCROFT WAY
BEAUMONT RISE
BLYTHWOOD ROAD
BUXTON ROAD
BYWORTH WALK
CALVERLEY GROVE
CARDINALS WAY
CHARLES STREET
CHEVERTON ROAD
COACH YARD MEWS
CORNWALLIS ROAD
COURTAULD ROAD
CRESSIDA ROAD
CROMARTIE ROAD
CROUCH HILL
DAISY DOBBINGS WALK
DICKENSON ROAD
DRESDEN ROAD
DUNCOMBE ROAD
EDITH CAVELL CLOSE

EDITH TURBEVILLE COURT
ELLA ROAD
EMILY HEARTWELL COURT
FAIRBRIDGE ROAD
FITZWARREN GARDENS
FLORENCE CANTWELL WALK
GLADSMUIR ROAD
GRENVILLE MEWS
GRENVILLE ROAD
GRESLEY ROAD
HANLEY ROAD
HANNAY LANE
HARBERTON ROAD
HATCHARD ROAD
HAZELLVILLE ROAD
HEATHVILLE ROAD
HENFIELD CLOSE
HETTY REES COURT
HIGHCROFT ROAD
HIGHLANDS CLOSE
HILLRISE ROAD
HOLLAND WALK
HOLLOWAY ROAD
HOLLY PARK
HORNSEY LANE
HORNSEY RISE
HORNSEY RISE GARDENS
HORNSEY ROAD
JESSIE BLYTHE LANE
JUTLAND CLOSE
LAMBTON MEWS
LAMBTON ROAD
LOTUS MEWS
LOUISE AUMONIER WALK
LYSANDER GROVE
LYSANDER MEWS
MARIE LLOYD GARDENS
MARIE STOPES COURT
MARLBOROUGH ROAD
MARY KINGSLEY COURT
MIRANDA ROAD
MIRIAM PRICE COURT
MOUNT VIEW ROAD
MOWATT CLOSE

MULKERN ROAD
NEW ORLEANS WALK
NICHOLAY ROAD
NUGENT ROAD
NYTON CLOSE
ORMOND ROAD
PAROLLES ROAD
PARTINGTON CLOSE
PILGRIMS WAY
PORTER SQUARE
PROSPERO ROAD
SANDERS WAY
SCHOLEFIELD ROAD
SHAFTESBURY ROAD
SPEARS ROAD
ST JOHN'S WAY
SUNNYSIDE ROAD
SUSSEX WAY
TRAYS HILL CLOSE
TRINDER GARDENS
TRINDER ROAD
TURPIN WAY
VICARAGE PATH
WARLTERSVILLE ROAD
WESTACOTT CLOSE
WHITEHALL PARK
ZOFFANY STREET

## **TOLLINGTON**

ALEXANDER ROAD
ALMINGTON STREET
AXMINSTER ROAD
BAVARIA ROAD
BIRNAM ROAD
BLENHEIM COURT
BOWMAN'S MEWS
BOWMAN'S PLACE
BRACEY MEWS
BRACEY STREET
BRYETT ROAD
CHAPEL WAY
CHRISTIE COURT
CORBYN STREET

CORNWALLIS ROAD
CORNWALLIS SQUARE
CROUCH HILL
DAVENANT ROAD
DULAS STREET
EBURNE ROAD
EMPIRE SQUARE
EVERLEIGH STREET
EVERSHOT ROAD
FONTHILL ROAD
FORTNAM ROAD
HANLEY GARDENS
HANLEY ROAD
HERCULES PLACE
HERCULES STREET
HERCULES YARD
HOLBROOKE COURT
HOLLOWAY ROAD
HORNSEY ROAD
INGLEBY ROAD
JAPAN CRESCENT
KINGSDOWN ROAD
KIVER ROAD
LANDSEER ROAD
LEEDS PLACE
MANOR GARDENS
MARLBOROUGH ROAD
MARLBOROUGH YARD
MARRIOTT ROAD
MITFORD ROAD
MONTEM STREET
MOUNT PLEASANT CRESCENT
MOUNT PLEASANT MEWS
ORMOND ROAD
PAVILLION MEWS
PINE GROVE
POMOJA LANE
REGINA ROAD
RICKTHORNE ROAD
RINGMER GARDENS
ROADS PLACE
SALTERTON ROAD
SEARLE PLACE
SEVEN SISTERS ROAD

SPARSHOLT ROAD
STANLEY TERRACE
STONENEST STREET
STROUD GREEN ROAD
SUSSEX CLOSE
SUSSEX WAY
THORPEDALE ROAD
TOLLINGTON PARK
TOLLINGTON PLACE
TOLLINGTON WAY
TUFNELL PARK ROAD
TURLE ROAD
TURLEWRAY CLOSE
VINCENT PARADE
WEDMORE GARDENS
WHEWELL ROAD
WINDSOR ROAD
WRAY CRESCENT

## Appendix 2 – Schedule of proposed licence fees

### Selective Property Licence Fees

1 April 2021 to 31 March 2023

The application fee is in two parts:

Part 1: covers the cost of processing the application

Part 2: covers the cost of running and enforcing the licensing scheme

#### Standard Application Fees

Part 1: £450.00 per house

Part 2: £350.00 per house

**Total: £800 per house**

#### Reduced Rate Application Fees

(For applicants accredited under the London Landlords Accreditation Scheme, or other recognised accreditation scheme.)

Part 1: £410.00 per house

Part 2: £315.00 per house

**Total: £725.00 per house**



## Appendix 3 – Proposed property licence conditions

### Selective Licence Conditions

#### Housing Act 2004 Section 90

#### 1 Permitted occupation

- 1.1 A new resident must not be permitted to occupy the house or any part of the house if that occupation exceeds the following maximum permitted number of persons for the property:
- one household or
  - two households of no more than two people
- 1.2 A new resident means a person who was not an occupier of the house at the date of the issue of the licence

#### 2 Tenancy management

- 2.1 Provide all tenants with a written statement of the terms on which they occupy the property and the arrangements in place to deal with repairs and emergency issues.
- 2.2 Protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. Provide the tenant the prescribed information about the scheme being used at the time the deposit is taken.
- 2.3 Obtain references from prospective tenants before entering into any tenancy agreement with them. No new occupants shall be allowed to occupy the accommodation if they are unable to provide a reference. The licence holder must retain all references obtained for occupants for the duration of this licence.
- 2.4 Provide suitable emergency (including out of hours response) and management arrangements.
- 2.5 When requested provide the council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property.
- 2.6 Conduct an inspection of the property at least every 6 months to identify any problems relating to the condition and management of the property and check that common parts and external areas are free from waste. Keep a written record of the inspection specifying the:

- name of person conducting inspection
- date and time of inspection
- issues identified
- action taken

- 2.7 Take prompt action to address anti-social behaviour arising from the conduct of occupants or visitors to the property by complying with the following requirements:
- On receipt of a complaint of anti-social behaviour concerning a visitor or occupant of the property do not ignore nor fail to take action and take appropriate action to monitor the allegation.
  - Inform the occupants in writing about any allegation of anti-social behaviour within 14 days of receipt and consequences of its continuation.
  - Where the anti-social behaviour continues after 28 days from receipt of the complaint, visit the property within 7 days and issue a warning letter advising the behaviour is not acceptable, that they are responsible for the conduct of all occupants and visitors, the impact on the local community and the consequences of its continuation.
  - Take formal steps under the written statement of terms for occupation if after 14 days of giving the warning letter the anti-social behaviour is unresolved.
  - Notify the appropriate authorities of anti-social behaviour suspected to involve criminal activity.
  - Keep a written record of any meetings, telephone conversations or investigations and copies of correspondence regarding anti-social behaviour for 3 years.
  - Attend any case conferences or multi-agency meetings arranged by the council or police upon request.

### **3 Property management**

- 3.1 Take appropriate steps to remedy any disrepair reported by occupants.
- 3.2 Take immediate action to deal with any pest problem or infestation at the property and ensure that a treatment programme is carried out to eradicate the pest infestation. Records shall be kept of such treatment programmes.
- 3.3 Any gas installation and gas appliance shall be kept in a safe condition, at all times. All work on gas appliances must be carried out by a Gas Safe registered engineer.
- 3.4. A current valid gas safety certificate from a Gas Safe registered engineer obtained within the last 12 months, or a Gas Safe Installation Certificate if the boiler was installed in the last 12 months shall be provided to the council annually.
- 3.5 The electrical installation in the property shall be maintained in a safe condition. Where requested by the council provide, within 28 days, an electrical installation report issued by a competent person within the last 5 years.

- 3.6 All electrical appliances made available by the licence holder shall be kept in a safe condition. Where requested by the council provide, within 28 days, a written declaration to the safety of such appliances.
- 3.7 All furniture made available by the licence holder shall be kept in a safe condition. Where requested by the council, provide within 28 days, a written declaration as to the safety such furniture. All upholstered furniture, covers, fillings, cushions and pillows shall comply with current fire safety requirements.
- 3.8 A smoke alarm shall be installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation.
- 3.9 Each smoke alarm installed in any room in the house shall be kept in proper working order.
- 3.10 Where requested by the council, provide a written declaration confirming the positioning and condition of smoke alarms.
- 3.11 Install a carbon monoxide alarm in any room in the property used wholly or partly as living accommodation (including a hall, landing bathroom or WC) and contains a solid fuel burning combustion appliance.
- 3.12 Any carbon monoxide alarm installed in any room in the property shall be kept in proper working order.
- 3.13 Where requested by the council provide written statement, within 28 days, confirming the positioning and condition of any carbon monoxide alarms.
- 3.14 Provide and maintain adequate security measures to prevent access by intruders and ensure that:
- The access to the property, such as locks, latches and entry systems are maintained in good working order, at all times.
  - The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five-lever security level.
  - Where window locks are fitted, the keys are provided to the relevant occupants.
  - Where a burglar alarm is fitted to the property, the occupants are informed in writing about the circumstances under which the code for the alarm can be changed and are given details on how this can be arranged.
  - Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.
- 3.15 Within 7 days of the start of occupation provide written information to all occupants on the arrangements for the storage and disposal of household recycling and waste. This information must be provided in a clear and easy to understand format which occupants can refer to.
- 3.16 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose. Old furniture, bedding, or rubbish from the property must not be left immediately outside the property nor on private land.

- 3.17 Carry out regular checks to ensure that occupants are complying with the storage, recycling and disposal of waste arrangements and warn occupants if they, or their visitors, are not using the waste and recycling facilities provided or are leaving waste outside the property.
- 3.18 Provide adequate facilities for storing, recycling, and disposing waste for the number of occupants so that bags or loose refuse or waste for recycling are not stored outside the property. Ensure that these containers provide for the adequate separation of recyclable, garden (where applicable), food and residual waste.

#### **4 Documents to be supplied to tenants**

- 4.1 Either provide to all tenants at the start of the tenancy or display in the common parts of the property:
- a copy of the licence to which these conditions apply
  - a notice with the name, address and emergency contact number of the licence holder or managing agent for the property
  - a copy of the current gas safety certificate
  - a copy of a valid electrical inspection condition report
  - a copy of a valid portable appliance test certificate (PAT) covering all electrical appliances supplied within the property
  - a copy of a valid test certificate for the automatic fire alarm system (dated within the last 12 months)
  - a copy of a valid test certificate for the emergency lighting system (dated within the last 12 months)
  - an appropriate Energy Performance Certificate (EPC)

Note: Landlords cannot grant a new tenancy after 1 April 2018 where the EPC is band F or G. After 1 April 2020 landlords must not continue to let a let property where the EPC is band F or G.

#### **5 Financial management**

- 5.1 No person other than the licence holder or the agent named on the licence may collect or receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.
- 5.2 Where rents are collected or received from occupants, payment must be recorded and all occupants receive a receipt for the payment, unless the occupant is an assured short-hold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

#### **6 Material change of circumstances**

- 6.1 The licence holder must inform the authority within 21 working days of any material changes in their own circumstances and, within 21 days of becoming aware of them, of any known material change in the circumstances of any person managing or involved in the management of the property, such as details of:

- unspent convictions not previously disclosed to the authority that may be relevant to the licence holder or the property manager or the status of either of them as a 'fit and proper person,' including in particular, a conviction in respect of any offence involving fraud or dishonesty, violence, drugs, or any offence listed in Schedule 3 of the Sexual Offences Act 2003.
- a finding by a court or tribunal against the licence holder and/or the property manager that he or she has practiced unlawful discrimination.
- a contravention on the part of the licence holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
- information about any property the licence holder or property manager owns or manages, or has owned or managed:
  - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or
  - ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning category 1 and category 2 housing condition hazards; or
  - iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Housing Act 2004, or has revoked a licence; or
  - iv. which has been the subject of an interim or final management order under the Housing Act 2004.

## **7 General requirements**

- 7.1 Where requested in writing provide written copies of any information or records required by these conditions to the council within 28 days of the date of the request.
- 7.2 Arrange for access to be granted at any reasonable time and must not obstruct council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.
- 7.3 When requested provide the council the names and numbers of individuals accommodated in the property.
- 7.4 When requested provide the council with a plan of the property showing the location and size of all rooms (in square meters), including kitchen, bathroom and WC facilities. The plan shall be provided to the council within 28 days on demand.
- 7.5 When requested provide the council within 28 days a copy of the tenancy agreement.
- 7.6 Inform the council of any change in ownership or management of the house.
- 7.7 Whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.
- 7.8 Ensure that on completion of any works, the property shall be left in a clean and tidy condition and free from builders' debris.

## **8 Deviation from the licence conditions**

- 8.1 Any landlord who wishes to provide accommodation that requires a licence but that does not meet the licence conditions may apply in writing for a deviation from the licence conditions. The request will be considered, and the landlord informed of the decision in writing.

Islington Council  
Residential Environmental Health Team  
222 Upper Street London N1 1XR  
Phone: 020 7527 3205  
Email: [property.licensing@islington.gov.uk](mailto:property.licensing@islington.gov.uk)



Islington Together: for a more equal future

## SELECTIVE LICENSING

Public consultation on new proposals for private rented housing licensing schemes.

Frequently asked questions (FAQs)

Consultation runs from 23 December 2022 to 27 March 2022

## The consultation

### What are we proposing?

Islington Council is now consulting on introducing a new selective licensing scheme for the licensing of privately rented accommodation to replace the existing Finsbury Park scheme, in the new wards<sup>1</sup> of Hillrise, Tollington and Finsbury Park.

### Why are we consulting on the proposal?

The Housing Act 2004 provides for local authorities to designate discretionary licensing schemes for privately rented properties, either borough-wide, or in certain specified areas. The Act requires the council to undertake a public consultation on the proposals before the schemes are implemented.

### Why is it important for us to do this?

Our research has shown that there are problems with the standard and management of privately rented properties, particularly in the northern half of the borough. Although there are many responsible landlords, there are also many who do not manage their properties well. The evidence gathered in our assessment of the private sector shows that the PRS in the selected wards has higher levels of poor property conditions than in other parts of the borough, as well as having the highest levels in at least two of the criteria of ASB, crime or deprivation. A high percentage of privately rented properties in these wards means that the council can have the biggest impact through a selective licensing scheme.

The proposed licensing schemes will enable the council to attach conditions to licences that will ensure that the private rented sector is improved, the health and safety of tenants is protected, and that anti-social behaviour and crime affecting neighbourhoods is reduced. This will bring about an improvement of the private rented sector in a way that dealing with complaints one by one doesn't achieve.

### How can I find out more detail about the proposals?

Please see the full consultation document.

## The consultation process

### Who are you consulting with?

We will be consulting widely, with landlords, agents, tenants, residents, local businesses, regional and national landlord associations, the police, London Fire Brigade, neighbouring local authorities and all other stakeholders.

### Will there be any public meetings about the proposals?

You can find out more at one of our consultation virtual drop-in sessions. Details of how you can join these will be available on our website at

[www.islington.gov.uk/licensingconsultation](http://www.islington.gov.uk/licensingconsultation)

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<sup>1</sup> New ward boundaries and names come into effect May 2022.



### **How can I respond to this consultation?**

To respond to this consultation please go to the online questionnaire at: [www.islington.gov.uk/licensingconsultation](http://www.islington.gov.uk/licensingconsultation) or if you cannot complete the questionnaire online, please contact us on 020 7527 3205 to request a paper copy of the questionnaire or another format.

If you have any questions about the consultation, or require this questionnaire in another format please contact us:

E: [property.licensing@islington.gov.uk](mailto:property.licensing@islington.gov.uk)

T: 020 7527 3205

Copies of the consultation FAQs and questionnaire are also available at local libraries and 222, Upper Street, London N1 1XR.

### **When will the results of the consultation be published and where?**

The consultation will close at midnight on Sunday 27 March 2022 and the results will be collated and published on Islington's website.

### **Who makes the decision to approve the scheme and if the decision is to go ahead, what's the earliest it could start?**

The responses from the consultation will be considered by the Islington Council Executive, who will make a decision to either accept or reject the schemes. This should take place around June 2022, subject to the committee cycle.

If the decision is to go ahead with the schemes, then the earliest the existing selective licensing scheme for Finsbury Park will be revoked and the new scheme for the new Hillrise, Tollington and Finsbury Park wards could be expected to start, is likely to be September 2022.

### **Who can I contact if I have any queries about this consultation?**

If you have any questions that are not answered by these questions and answers, please look at the full, detailed consultation document. This document contains all the evidence gathered and justification for the scheme in accordance with government guidance. If you have any further questions, please email your question to [property.licensing@islington.gov.uk](mailto:property.licensing@islington.gov.uk) and we will provide a response.

## **Proposed selective licensing schemes**

### **What is meant by 'new' wards and how do I know if my street is included?**

In our proposals, we refer to 'new' wards. The Local Government Boundary Commission for England (LGBCE) has introduced changes that will take effect from the date of the council elections on 5<sup>th</sup> May 2022. See [LGBCE proposed ward boundaries](#). The changes bring about an increase in the number of wards to 17. The boundaries of all wards will change, although some only slightly.

As a guide, the new wards are approximately equivalent to the following:

New ward name	Existing ward or wards
Hillrise	Hillrise plus parts of Junction and Tollington
Tollington	Most of Tollington plus part of Finsbury Park
Finsbury Park	Finsbury Park except western corner, plus part of Highbury West

### **Why are you revoking the Finsbury Park selective licensing scheme when it only began in February 2021?**

The boundary changes will make the existing designation both contradictory to the new boundaries and confusing for all concerned. It is the most appropriate course of action to revoke the existing scheme and to include the area it covers in the new proposed designations.

### **How would the new scheme work?**

All private landlords with residential property within the proposed scope of the scheme would need to apply for a licence for each property they let. The licence would come with conditions that would require the landlord to meet certain standards. In order to become a licence holder, they must pass a fit and proper person test.

### **What does a “fit and proper person” mean?**

The council will carry out checks to make sure that the person applying for a licence is a “fit and proper person”. In deciding whether someone is “fit and proper”, the council must take into account, amongst other matters:

- a) Any offences involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- b) Any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with the carrying on of any business.
- c) Any contravention of any provision of the law relating to housing or of landlord and tenant law.
- d) Any person involved in the management of the property has sufficient level of competence to be so involved.
- e) Any person involved in the management of the house is a fit and proper person to be so involved.

The council can also decide if a person is not “fit and proper” as a result of association with other persons who would not be considered “fit and proper” where this would affect the management of a licensed property.

### **My property already has a licence under the Finsbury Park scheme. What will happen to that licence when the existing scheme is revoked?**

Licences issued under the existing Finsbury Park scheme will remain in force for the period stated on the licence and landlords will not need to reapply for a licence. Following expiry of a licence and should a selective licensing scheme still continue to be in operation, an application for a licence renewal must be made.

**Will my property be inspected by the Council?**

Selective licensing does not require the mandatory inspection of every property. Inspection will be risk-based. Tenants who consider there are possible disrepair issues in their rented property will be able to contact the Residential Environmental Health Team and discuss their concerns. If there are grounds for an inspection, then we will liaise with both the landlord and tenant to arrange the inspection.

**What will happen if I do not apply for a licence?**

It is a criminal offence to operate without a licence in a designated area and could result in the landlord/owner being prosecuted. On conviction the landlord/owner could face an unlimited fine and any rent collected during the unlicensed period could be reclaimed by either the tenant or the council. A Civil Penalty Notice of up to £30,000 is an alternative sanction available to the local authority.

No offence is committed however if there is a genuine outstanding application for a licence on record or a Temporary Exemption Notice (TEN) is in force.

**Is VAT payable on the licence fee?**

No, VAT is not payable on licence fees.

**Who is responsible for paying the licence fee?**

The applicant, who may be the property owner, landlord or their agent, will be responsible for paying the licence fee for each property.

**Is the council using licensing fees to raise money?**

The fees charged will cover the costs associated with running the licensing scheme.

**Will the licence fees be a disincentive for landlords and drive them out of the rental market?**

The proposed fee for a licence is affordable, as it is only a small proportion of the overall rental income from a property over a period of five years. We believe that irresponsible landlords who do not keep their properties in good condition and do not manage them properly might decide to sell, in order to avoid licensing. This will however, open up their properties to people that will manage them well. Licensing will improve the image of the sector as a whole and will help encourage responsible landlords to invest in Islington.

**Will the fees just be passed on to tenants through rent increases?**

For a selective licence for a single family home it will be £800. This equates to £3.50 per week respectively for each five-year licence. We anticipate that this cost can be easily absorbed as part of the business model for landlords. Rents are generally market driven and do not tend to be influenced by licensing costs. Local housing market areas tend to cross borough boundaries and several of Islington's neighbours have already introduced discretionary licensing schemes and although the likelihood is low, any impact of such schemes on rent costs is likely to have already impacted Islington. We are not aware of any issues with rent increases due to licensing fees in the existing Finsbury Park scheme.

**How long will the licence last?**

In general, the council will aim to grant licences for the maximum term (5 years). There may be instances in which there are justifiable concerns with either:

- the condition of the property
- the management or the management arrangements
- or with the conduct (past or present) of a landlord or his associates which, whilst not leading to a conclusion that they fail the fit and proper person test, are significant enough to warrant granting a licence for a shorter term.

In every other case, the council will consider granting licences for five years, unless there are good reasons not to do so.

Following expiry of a licence and should a selective licensing scheme still continue to be in operation, a decision will be made on the standard of management of the property and the property relicensed accordingly for another five years or other period deemed appropriate. All licences continue for the term granted even when this extends beyond the life of the scheme.

**I have a house in multiple occupation (HMO) in the proposed area, will it need a licence under the new scheme?**

HMOs occupied by three or more people who are not a single household are generally covered by either the council's borough-wide additional licensing scheme, or the mandatory HMO licensing for larger HMOs. If not already licenced, landlords of HMOs anywhere in Islington should apply for an HMO licence and not a selective licence under these proposals. If you have an HMO licence you do not need a selective licence for the same property. Houses or flats that are occupied by just two people who do not form a single household will come within scope of selective licensing.

**Aren't these conditions overly burdensome for landlords?**

Many of the conditions are already mandatory for landlords and others we consider to be best practice in property management.

**What happens if a landlord breaches the licence conditions?**

If there are continued or serious breaches, they could be prosecuted with unlimited fines for each condition breach. Where appropriate they will be supported and given advice on how to comply with the conditions, a plan and timeframe for doing so.

A Civil Penalty Notice of up to £30,000 is an alternative sanction available to the council. A breach of licence conditions could also lead to the revocation of the licence and unless a suitable alternative licence holder could be found, the council may take over the management of the property by issuing an Interim Management Order (IMO).

**What will the council do to support landlords under its proposed schemes?**

The council intends to enhance its good working relationship with responsible private sector landlords as part of the proposed licensing schemes.

Specific support measures will include:

- A reduced licensing fee for properties where the landlord is accredited by the London Landlord Accreditation Scheme (LLAS), or another recognised accreditation scheme.
- A five-year licence for properties that do not raise significant concerns regarding the condition or management of them.
- Advice will be provided to landlords in relation to the licence standards.

### **What is an accredited landlord?**

Islington actively promotes the London Landlord Accreditation Scheme (LLAS) and Accreditation and Training for Landlords and Agents Scheme (ATLAS). This is a voluntary scheme where landlords undergo training and sign up to a Code of Conduct which requires certain standards of management and maintenance. LLAS and ATLAS is a valuable scheme for engaging with well-meaning landlords. It provides support and imparts the knowledge necessary for them to run their businesses effectively, comply with the law, and provide safe, decent quality homes. There are also other recognised landlord accreditation schemes. Details can be found at <https://www.anuk.org.uk/schemes-near-you> .

### **Why don't you just use existing powers to deal with bad landlords?**

We already do a number of things to improve the management of private rented properties and to tackle crime and anti-social behaviour in the borough. We will continue to use all our existing powers and work closely with other agencies. However, licensing will help us take a more proactive, targeted approach. We will have a dedicated, self-financed team in place to deal with service requests and complaints about properties within the scope of the schemes.

### **What is the existing selective licensing scheme in Islington?**

Since 1 February 2021, a selective licensing scheme has been in place in the existing Finsbury Park ward. This scheme is in place for a period of 5 years and is due to expire after 31st January 2026. This designation applies to all houses and flats located within the existing Finsbury Park ward and rented to either:

- A single person
- Two people sharing (regardless of their relationship to one another)
- Any number of persons forming a single household (family).

### **What have you learnt from the existing selective licensing scheme in Finsbury Park and the borough-wide additional licensing scheme?**

These schemes only came into effect in February 2021 and so it is too early to draw any conclusions. However, the lessons learned from the operation of the previous additional licensing scheme in Caledonian Road and Holloway Road were taken into account in drawing up our proposals for these schemes.

### **Why are you introducing other selective licensing schemes when you only previously designated Finsbury Park ward?**

Although the evidence supported the introduction of the scheme, Finsbury Park was initially selected for designation as a pilot, before considering introduction of a scheme in further wards. The evidence we have gathered this time supports the case for designation of the additional wards now proposed. The systems we have

now put in place for the Finsbury Park scheme can readily be scaled up to deal with a greater number of properties in scope.

**My property is in the existing Finsbury Park scheme but will be in another ward once the new boundaries are introduced. What will this mean?**

Any property already licenced or subject to selective licensing under the existing scheme that won't be in the new Finsbury Park ward will fall into the new Tollington ward. As the new Tollington ward will be included in the proposed new scheme, then these properties will still fall within scope of selective licensing.

**My property is not in the existing Finsbury Park scheme but will be within the new Finsbury Park ward boundary after the changes. What will this mean?**

Some streets in the existing Highbury West ward will come under the new Finsbury Park ward after the changes, these streets will come within the scope of the proposed new scheme for Hillrise, Tollington and Finsbury Park.

**Will all properties in these wards have to be licensed?**

The following properties/circumstances do not require a licence:

- Owners who reside in a property they own as their main residence (owner-occupiers)
- Homes let to tenants of registered housing providers (housing associations)
- Those places specifically excluded from the legislation such as care homes, etc
- Student accommodation directly managed by educational institutions, e.g. halls of residence (but not those where students have tenancies with private landlords)
- HMOs that require licensing through Islington's additional or mandatory HMO licensing schemes
- Homes subject to management orders and prohibition orders
- Households that act as host families for foreign students studying for a short period
- Homes with lodgers

Full details of all exemptions are set out in [The Selective Licensing of Houses \(Specified Exemptions\) \(England\) Order 2006](#)

**What evidence do you have that selective licensing will help?**

In a great number of local authority areas, selective licensing has proved to have had a substantial impact on landlord and agent behaviour and improved their engagement and relationship with them.

**I'm a tenant of a property within the designated area for selective licensing. How will it affect me?**

Selective Licensing requires landlords to adhere to a number of conditions as part of their licence. Officers from Islington Council may inspect the property to ensure the conditions are complied with, it is in a satisfactory condition and that any hazards present are appropriately addressed by your landlord. This provides you with the

reassurance that checks have been carried out to ensure that the property is of a suitable standard and suitable for occupation.

**I'm not a tenant but I do live in the areas proposed for designation so how would it affect me?**

Selective licensing aims to ensure that privately rented properties in your area are being properly managed and will enable the council to take enforcement action against a wider range of properties, where necessary. The additional controls will assist in addressing issues such as property condition or anti-social behaviour and should result in benefits to all residents, businesses and visitors to the local area.

## **Implementation of the schemes**

**When will these schemes come into effect?**

The council will make a designation, on a date to be determined, after the consultation concludes. The designation will state that the schemes will commence three months later.

# Selective Licensing

## Response to Consultation

### Background

Islington Council's Residential Licensing team has undertaken a public consultation on proposals for a new selective licensing scheme. Respondents were asked to consider the proposals laid out in the Full Consultation Document and summarised in the Summary Consultation Document.

The proposed scheme would, in essence, require landlords and lettings agents to hold licences for all rented properties in the new wards of Finsbury Park, Hillrise and Tollington. Currently, only the old ward of Finsbury Park is subject to selective licensing. In all other wards a licence is only required for Houses of Multiple Occupation (HMOs).

We would like to thank respondents who took the time to share their views, all of which have been carefully considered in the drafting of this response. This document will set out the consultation process, the key points raised by respondents and the council's response.

### The consultation process

#### Process

Islington Council launched a public consultation on its proposed selective licensing scheme, in accordance with requirements in The Housing Act 2004, and sought to gather local views on the proposals, including the proposed licensing conditions, fees, and alternatives that the council could consider.

The consultation ran for just over 13 weeks and ran from 23 December 2021 and closed on 27 March 2022, and well exceeded the minimum consultation period of 10 weeks. The consultation was circulated to key stakeholders including landlords, tenants, local faith groups via letters and emails, advertised through council communication channels and published on the Islington Council website.

The consultation mainly took the form of an online, sixteen question survey, including an open final question. Respondents could also write in by email and letter. Alongside the consultation survey, Islington published a Full Consultation Document, a Summary Consultation Document and a set of FAQs to fully outline the proposed scheme, the evidence and the justification for the scheme. Islington also held three online information sessions, at which officers were present to answer questions and record concerns raised. Although well-advertised, these were not well attended.



## Breakdown of responses-key points

Thank you to everyone that took the time to complete the survey and contact us directly. We received a total of 68 responses to the survey as set out in Figure 1, and two separate written responses from landlord organisations, which along with the final open question, are discussed separately. Respondents were asked to complete questions based on whether they were a landlord or a tenant, so some questions are only answered by one particular group only. Some questions allowed respondents to choose more than one answer.

It has to be said that the consultation wasn't well responded to, despite a well-structured press and social media campaign, and letters/emails to the affected stakeholders. This could be due to the fact that the existing property licensing scheme has ensured that stakeholders are much more aware of property licensing as a concept and are accepting of the proposals compared with when the council first consulted on the existing scheme.



Figure 1: Respondent by type

One important finding was that the response from landlords and managing agents was significantly higher than any other group and accounted for over half of the respondents combined (54%). This has meant that the results of this consultation are skewed by the over representation of this group.

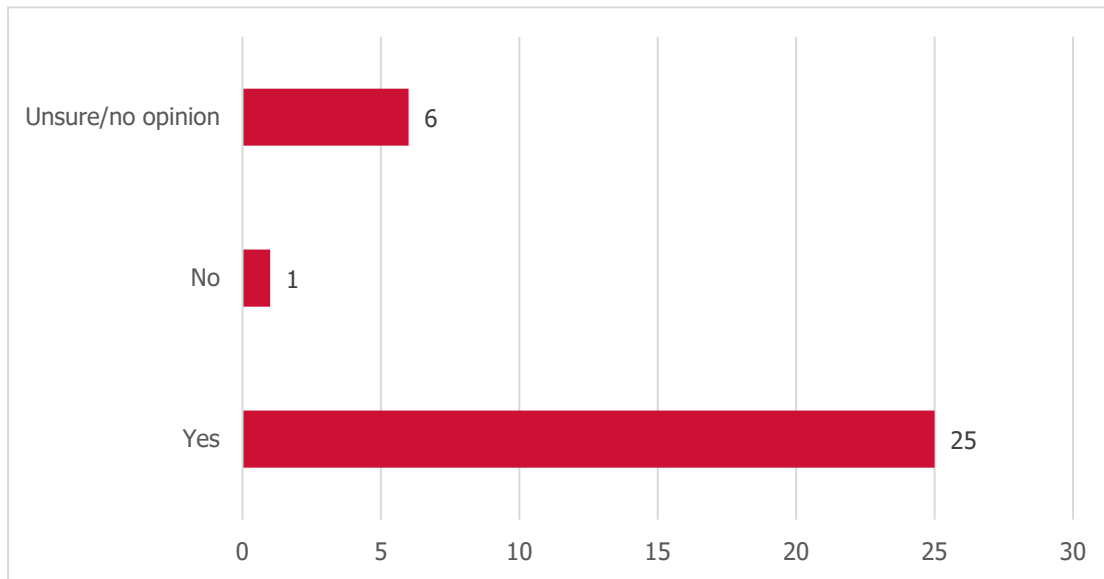


Figure 2: Is there a link between housing and poor health?

Most tenants who answered the question (78.1%) agreed that there is a link between poor housing and health (Figure 3).

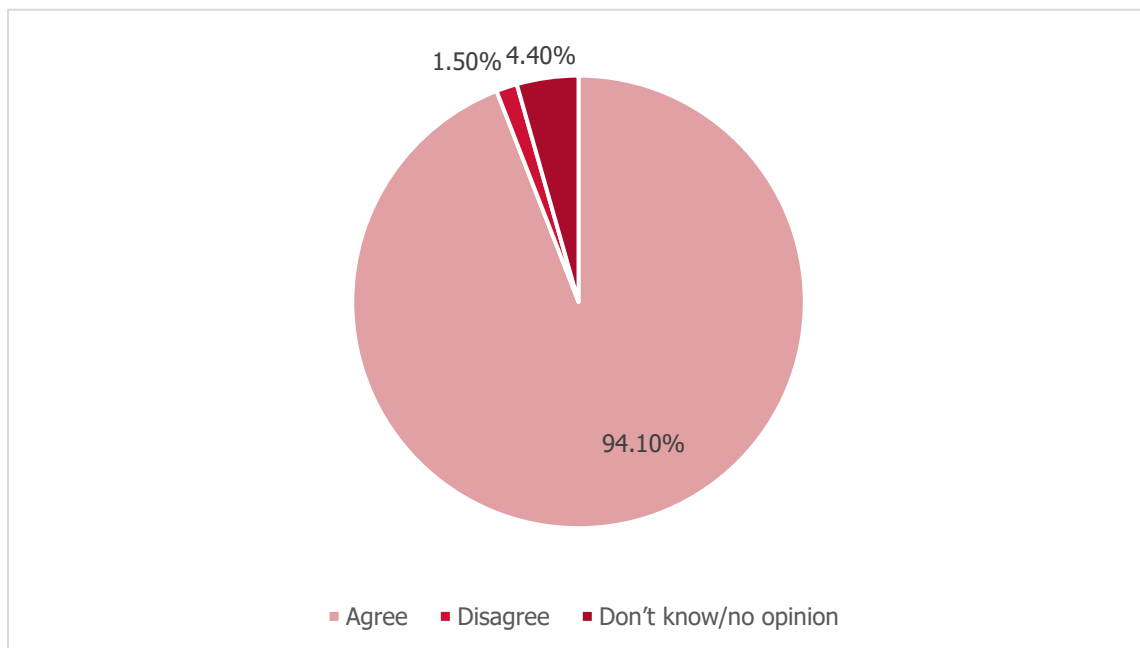


Figure 3: Should landlords and managing agents manage their properties responsibly?

Despite the different types of respondents (landlords, tenants, owner occupiers etc.), there was overwhelming agreement (94.1%) that landlords and managing agents should manage rented properties responsibly (Figure 2).

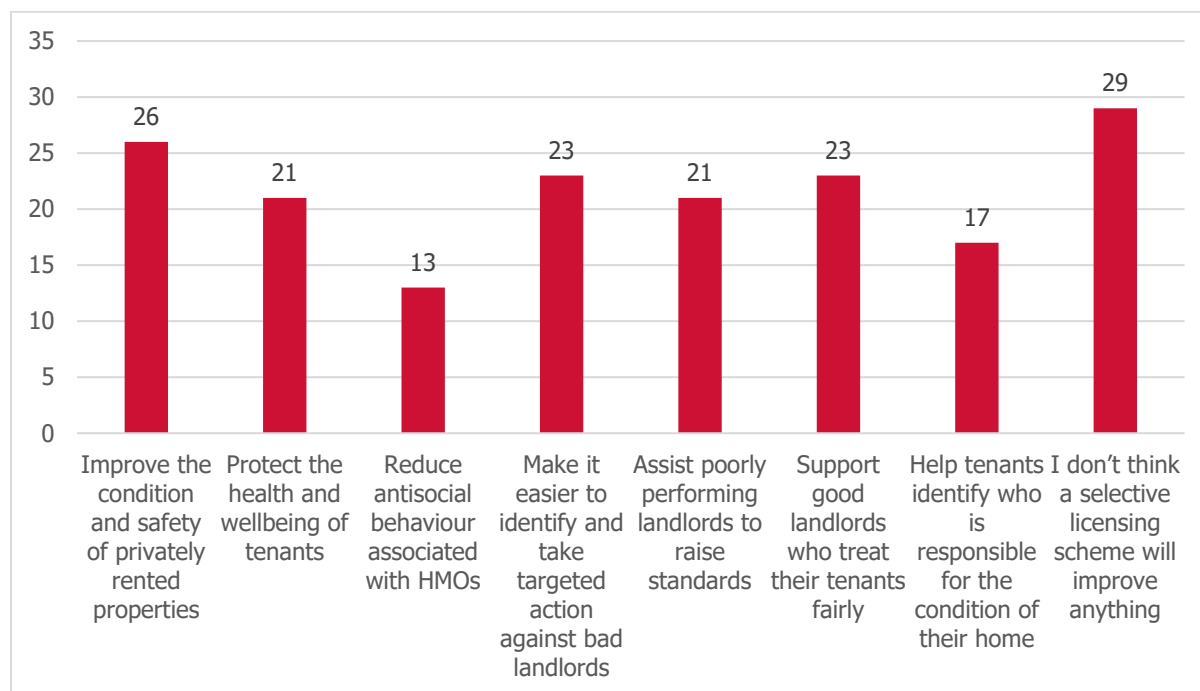


Figure 4: Which of the following issues do you think a Selective Licensing Scheme should address?

Figure 4 shows the responses to the question about issues the scheme should address. Respondents were asked to tick as many that applied. There was strong support for the scheme to improve the condition and safety of properties (47.3%); Protect the health and wellbeing of tenants (38.2%); Reduce antisocial behaviour (23.6%); Make it easier to identify and take targeted action against bad landlords (41.8%). This was balanced with support for assisting poorly performing landlords to raise standards (38.2%); supporting good landlords who treat their tenants fairly (41.8%); helping tenants identify who is responsible for the condition of their home (30.9%), and a slightly larger response for the scheme not improving anything at all (52.7%).

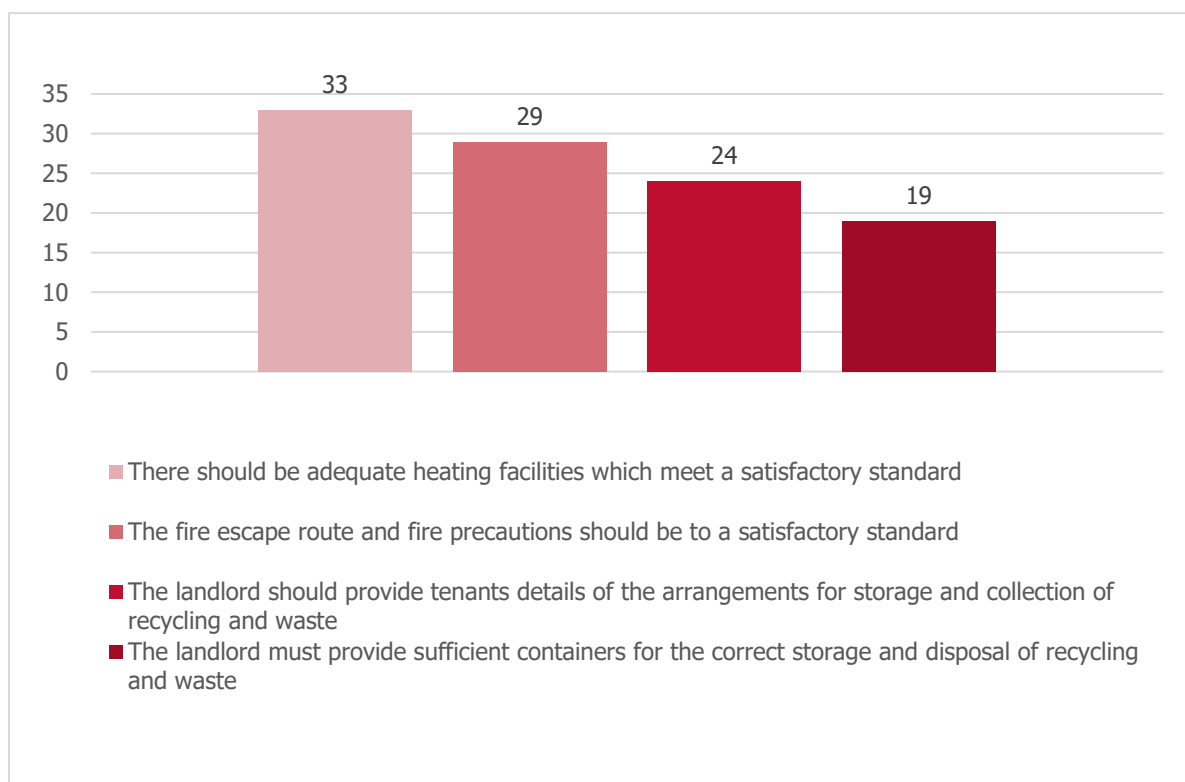


Figure 5: Opinion on proposed licence conditions

As noted in Figure 5, most respondents thought that adequate heating (33) and satisfactory fire precautions (29) should be on the licence conditions with adequate waste receptacles scoring less (19).

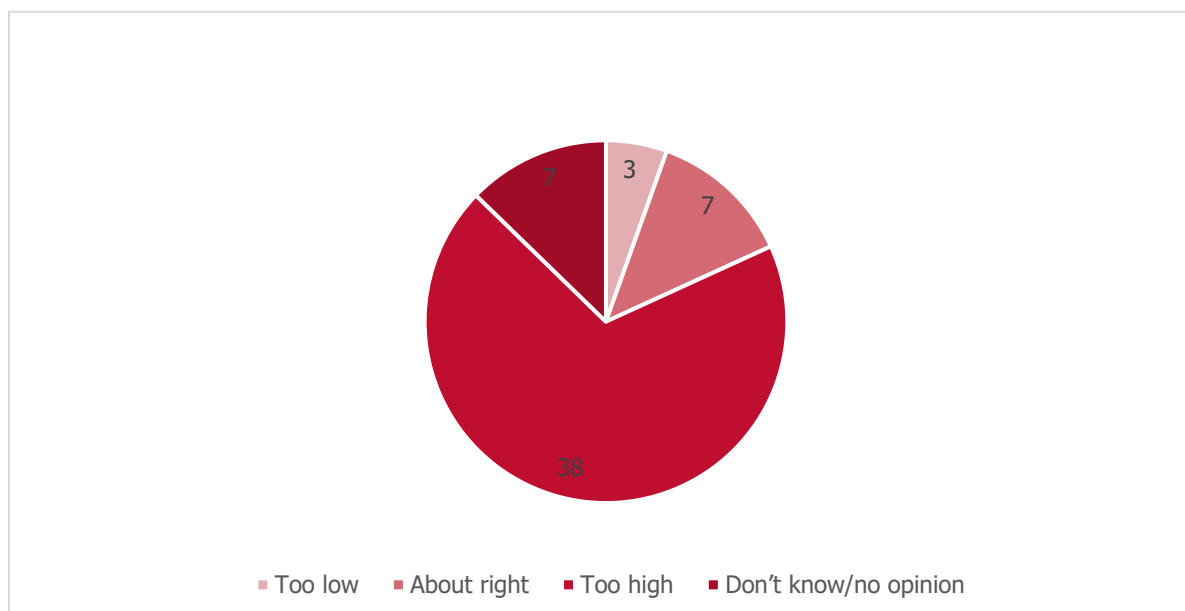


Figure 6: Licence fee

Unsurprisingly, most landlords overwhelmingly (69.1%) thought that the proposed licence fee was too high (Figure 6)

Table 1: Opinion on the proposed scheme by stakeholder type

	Private Landlord or Managing Agent with properties in the new Finsbury Park, Tollington and Hillrise wards	Private Landlord or Managing Agent with properties elsewhere in Islington	Private Tenant living in the new Finsbury Park, Tollington and Hillrise wards	Private Tenant living elsewhere in Islington	Owner occupier or other resident in Islington	Interested voluntary, community or faith sector organisation (not a landlord)	Other, please specify
Strongly agree	0.0%	5.0%	40.0%	33.3%	33.3%	50.0%	20.0%
Agree	7.1%	15.0%	40.0%	33.3%	0.0%	50.0%	0.0%
Neither agree nor disagree	21.4%	10.0%	0.0%	16.7%	33.3%	0.0%	0.0%
Disagree	7.1%	10.0%	0.0%	0.0%	0.0%	0.0%	20.0%
Strongly disagree	64.3%	60.0%	20.0%	16.0%	33.3%	0.0%	60.0%

Table 1 shows the breakdown of opinion about the proposed scheme by the stakeholder type. Unsurprisingly landlords are overwhelmingly not in favour of the scheme, 64.3% and 60% for landlords within the proposed new wards and elsewhere in Islington, respectively. It was also interesting to note that owner occupiers were split equally between strongly agreeing (33.3%), neither agreeing or disagreeing (33.3%) or strongly disagreeing (33.3%). Overwhelming, interested voluntary, community or faith sector organisations that were not landlords, either strongly agreed (50%) or agreed (50%). When considered alongside tenants in the proposed scheme or elsewhere in the borough their combined strongly agreed and agreed responses (80%) and (66.6%) respectively, this supports the wider opinion that the proposed scheme will be well received by those that need it most: tenants.

## Issues raised by respondents

The key issues raised in the open question survey responses, along with the two separate written responses are detailed below, alongside Islington Council's response. This was an important part of the survey and we welcomed those individual responses. They have been grouped, for ease of reply.

Issue 1: Respondents expressed concern that the cost of a licence could lead to increased rents and, alongside increased service charges, could potentially mean being a landlord financially unviable. Some were concerned that the scheme penalises good landlords and should get 'bad landlords' to pay for the scheme.

LBI Response: The cost of a selective licence for a single-family home (or two individual sharers) will be £800. This equates to £14.00 per month for the term of the five-year licence. We anticipate that this cost can be easily absorbed as part of the business model for landlords. Rents are generally market driven and do not tend to be influenced by licensing costs. Local housing market areas tend to cross borough boundaries and several of Islington's neighbours have already introduced discretionary licensing schemes and although the likelihood is low, any impact of such schemes on rent costs is likely to have already impacted Islington. We are not aware of any issues with rent increases due to licensing fees in the existing Finsbury Park scheme.

Issue 2: Several questions were asked about how the council intends to use the licence fee, whether the fee will contribute towards general council funding and how enforcement will be funded.

LBI Response: The fees charged will cover the costs associated with running the licensing scheme, including enforcement of the scheme for those landlords that have failed to apply for a licence.

Issue 3: Several respondents supported the proposed scheme, claiming that the scheme will help those who do not have the knowledge or confidence to report bad landlords and that lettings agencies and landlords have been getting away with low standards for too long.

LBI Response: Our property licensing scheme will create a clear and level playing field for the private rented sector across Islington. We believe that it should not be down to tenants to report issues with their home.

Issue 4: Some responses questioned the need for the scheme and whether there was evidence that licensing schemes lead to more enforcement action, particularly regarding the existing scheme in Finsbury Park. Several alternative courses of action were suggested:

- Focus on enforcing existing laws and tackle rogue landlords
- Solve the housing crisis by building more high-density flats, rather than licensing.

LBI Response: Whilst the Housing Act allows the council to improve dwellings, this largely relies upon a tenant making a complaint to the council, this not an efficient way to improve the housing conditions for renters and relies heavily on tenants reporting issues to us. The scheme will help us target resources on identifying landlords that evade licensing, and those that need to take action to bring their properties up to standard.

The council already use our existing enforcement powers to tackle rogue landlords, including the service of improvement notices, prohibition orders, civil penalty notices and taking prosecutions against the most serious cases of non-compliance. All enforcement action is proportionate and in line with our enforcement policy.

The council is actively building, as a priority, new council homes and to increase the supply of genuinely affordable, low carbon homes in Islington. More information about the council's housing strategy can be found here: [Housing Strategy 2021-2026 A Home For All \(islington.gov.uk\)](https://www.islington.gov.uk/housing-strategy-2021-2026)

Issue 5: Respondents called for the scheme to go further to address poor housing conditions. Suggestions included raising licence standards to beyond the legal minimum, stipulating a minimum water pressure in the licence conditions, widening the scheme to the entire borough and taking more action against converted buildings with illegally small units.

LBI Response: A careful balance must be found between raising standards and making the scheme impossible to comply with. As a local authority, we must be proportionate, reasonable, and fair in everything we do. Extending the property licensing schemes further than what is already proposed would mean that we would need sufficient evidence that a scheme is needed, and we would have to apply to the Secretary of State for Housing for the scheme to be approved, as combined with the current scheme, it will exceed the threshold set out in the legislation.

Issue 6: One respondent asked if a discount could be given to landlords who use an accredited agent.

LBI Response: The council are pleased to announce that there is a reduced fee for landlords that are accredited or managing agents that are accredited, providing they are either a licensee or a manager of the property.

Issue 7: One comment raised the issue of existing Finsbury Park selective licences and whether licence holders will need to reapply for their licence in 2026.

LBI Response: Existing licences will still be valid.

Issue 8: One landlord asked for more support around the requirements and is worried about the risk of accidental non-compliance.

LBI Response: A recognised accreditation scheme will often be a good option for a new or inexperienced landlord. Most accreditation schemes provide up to date training as part of the accreditation fee, and access to legal advice and support from other landlords. The licence fee for an accredited landlord is reduced to from £800 to £725.

Issue 9: Concerns were raised that the delineation between a selective and an additional HMO licence could discourage landlords from renting to couples and friends (e.g., a couple and a friend renting a two-bedroom property).

LBI Response: Thank you for highlighting this. We had not anticipated that this would be a problem. Currently, HMO licensing applies to the whole borough regardless of the size of the HMO. The cost of a license for a two-bedroom property (i.e., a couple and a friend sharing) is £288 per room (£576 in total). The cost of a selective licence in a two-bedroom property (i.e., not an HMO) is £800.

Issue 10: The NRLA made a general comment about waste management and the PRS and requested for there to be a free or low-cost scheme to remove bulky waste items left behind when tenants vacate at the end of a tenancy.

LBI Response: the council acknowledges most tenancy agreements require tenants to remove all belongings and waste when they vacate a property, and we would encourage landlords to explore options for recouping costs for waste disposal via the Tenancy Deposit Scheme (TDS) dispute resolution service. There are no current plans to reduce the cost of bulky waste collections for landlords.

Issue 11: the NRLA commented that landlords are unable to prevent ASB other than to evict a problematic tenant and that the council already has legislation to combat issues with waste disposal and ASB.

LBI Response: the council already utilises existing legislation to combat issues such as pest control, waste control management. Property licensing allows the council to target resources more efficiently. We would encourage landlords to undertake proper referencing to minimise the risk of renting their property to a problematic tenant.

Issue 12: the NRLA commented that if the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate improvements to tenants' and landlords' behaviour and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

LBI Response: a report is published at the conclusion of the scheme, but we will consider publishing an interim report.

Issue 13: safeagent state that there is no rationale for revoking the existing Finsbury Park selective licensing scheme and extending it and suggest a simple postcode checker to see if a property is within the scheme or not could eliminate the need to redeclare the Finsbury Park scheme once the new ward boundaries are in place.

LBI Response: once the new ward boundaries are introduced in May 2022, the existing designation for Finsbury Park will become contradictory and confusing. The designation as it stands refers to both a boundary marked on a map, which clearly shows the streets in scope, and the designation also states it applies to Finsbury Park ward, which will not have the same boundaries after May 2022. Revocation of the existing scheme and a new designation based on the new boundaries, incorporating the whole of the new Finsbury Park ward in addition to the proposed inclusion of Tollington and Hillrise will eliminate this contradiction and any confusion arising.



Issue 14: safeagent are concerned that there will be an adverse impact for those landlords who have currently applied for a licence in Finsbury Park ward and whose licences will expire before the new scheme finishes.

LBI Response: licences issued under the existing Finsbury Park scheme will remain in force for the period stated on the licence and landlords will not need to reapply for a new licence. Following expiry of a licence and should a selective licensing scheme still continue to be in operation, an application for a licence renewal must be made.

Issue 15: safeagent expressed concerns about the evidence base used to justify the scheme, including the use of a housing stock condition survey from 2008.

LBI Response: the council has undertaken an extensive review of all available data, both from within its own organisation and that more widely available, in relation to both the local, regional and national picture in reaching its conclusion that the proposed selective licensing scheme is the most appropriate course of action to take. Key data sources include 2011 Census data; Office for National Statistics (ONS); Greater London Authority (GLA Datastore); and Islington Council data. Data sets were created and aggregated to provide the worst wards in terms of the criteria specified. The council feels that there is sufficient data to support the scheme and considers that the wards of Tollington, Hillrise and Finsbury Park is where property licensing would have the greatest effect.

Issue 16: safeagent have requested that they be included in the list of accredited bodies, to enable more landlords to benefit from a discounted rate and would like to see a discount for landlords who apply for a licence early.

LBI Response: the council recognises several landlord accreditation bodies and would welcome landlords who are accredited by safeagent for the purposes of benefitting from the reduced license fee. The council considered discounts during the planning stage but opted for discounts for accredited bodies instead. We hope that this move will encourage more landlords to seek accreditation and access to the invaluable information and support services provided by accredited bodies.

Issue 17: safeagent have stated that it is important that the council implement an efficient and streamlined licence application processing system.

LBI Response: The council has invested in a public facing IT system designed to make the application process for landlords as quick and efficient as possible. The IT system provides automation of back-office systems which keeps our admin costs to a minimum and enables us to invest more income on inspection, monitoring, and enforcement. It also allows us to generate inspections and record our findings in one place.

Issue 18: safeagent made some recommendations to the licence conditions including some minor word changes and total removal of some conditions.

LBI Response: The council will carefully consider all comments and suggestions regarding rewording and removing the proposed licence conditions.

Issue 19: safeagent state that it is vital that the council maintains a well-resourced and effective enforcement team to take enforcement action against those landlords and agents that seek to evade the licensing scheme.

LBI Response: the new selective licensing scheme proposal includes a proportion of resources to enforce the scheme against those landlords that fail to apply for a licence. The council intends to train and recruiting more staff, paid for by the scheme, to process licence applications and inspect properties if the proposals go ahead

## Appendices

Safeagent response

National Residents Landlord Association (NRLA) response



NATIONAL RESIDENTIAL  
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Manchester M33 6RN

0300 131 6400

info@nrla.org.uk

www.nrla.org.uk

London Borough of Islington

27<sup>th</sup> March 2022

Dear Sir or Madam,

### **Property Licensing Proposal**

The NRLA is an association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 95,000 landlords and agents, by far the largest organisation in the sector. Members own and manage around 10% of the PRS, equating to half a million properties.

Thank you for the opportunity to respond to the above consultation to renew and introduce further selective licensing schemes in the borough. The NRLA objects to the relevance of property licensing schemes by local authorities. Although we sympathise with the aims of Islington Council, we believe that licensing does not align with the successful completion of these aims.

The NRLA seeks a fair legislative and regulatory environment for the private rented sector while ensuring landlords know their statutory rights and responsibilities.

### **Main Objections**

#### ***Waste management in PRS properties***

Often when tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste by a variety of methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many private rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.

Suppose such a scheme is not already in place. Would the council consider a free/low-cost service for private landlords to remove numerous bunk items for when tenants vacate the property and not dispose of such waste beforehand?

#### ***Antisocial Behaviour***

Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or substance dependency. Suppose there are allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have dispatched their obligations under the selective licensing scheme, even if the tenant suffers from any of the above issues.



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At the commencement of a tenancy, the landlord outlines the tenant's obligations concerning noise (and other matters such as waste disposal, compliance with relevant legislation, and consideration for surrounding neighbours). The landlord can manage a tenant only to the extent of their mutually signed and agreed contract for living in the property- not for a tenant's activities beyond this.

Islington Council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
1. Crime Prevention Injunctions
1. Interim Management Orders
1. Empty Dwelling Management Orders
1. Improvement Notices (for homes that do not meet the Decent Homes Standard)
1. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
1. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
1. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
1. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

Instead of further licensing, the council could utilise these enforcement powers and align them with the overall housing strategy the council wants for the PRS and the borough.

### **Conclusions**

The NRLA believes that local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of both residents and landlords in the area. The sector is regulated, and enforcement is essential for keeping criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is crucial as it will remove those who exploit others and create a level playing field. It is essential to understand how the sector operates as landlords can often be victims of criminal activity and antisocial behaviour with their properties being exploited.

If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate improvements to tenants' and landlords' behaviour and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

The NRLA has a shared interest with Islington Council in ensuring a high-quality private rented sector but strongly disagrees that the introduction of selective licensing is the most effective approach to achieve this aim both in the short term and long term.

Yours Sincerely,

Samantha Watkin  
Policy Officer  
National Residential Landlords Association  
[Samantha.Watkin@nrla.org.uk](mailto:Samantha.Watkin@nrla.org.uk)





## **Proposed Selective Licensing Scheme in the London Borough of Islington**

### **Safeagent Consultation Response**

**25 March 2022**

#### **An Introduction to safeagent**

Safeagent is a not for profit accrediting organisation for lettings and management agents in the private rented sector. Safeagent (formally NALS) was established in 1999, by the Empty Homes Agency, with backing from the Royal Institution of Chartered Surveyors (RICS) the Association of Residential Lettings Agents (ARLA) and the National Association of Estate Agents (NAEA). Safeagent provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents.

Safeagent agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet safeagent criteria on an annual basis to retain their licence. The scheme operates UK wide and has 1,500 firms with over 3,000 offices, including a number of agents within the London Borough of Islington.

Safeagent was recognised by the GLA as an approved body for the London Rental Standard. We are a recognised training provider under the Rent Smart Wales scheme and are also recognised by the Scottish Government in providing qualifications to meet the requirements of the Scottish Register.

We very much welcome the opportunity to contribute to this consultation exercise.

#### **Overview**

We understand that Islington Council is seeking to revoke the Finsbury Park selective licensing scheme that was implemented last year and designate a larger selective licensing scheme covering three council wards – Finsbury Park, Tollington and Hillrise.

In preparing this consultation response, we have carefully considered the consultation report and supporting documents published on the council's website.

#### **Previous licensing schemes**

We note that the council has operated a borough wide additional licensing scheme and a selective licensing scheme in Finsbury Park ward since February 2021.

The report says it is too early to draw any conclusions about the current selective licensing scheme that was implemented last year.

The report contains no information about the number of selective licence applications received, processed and approved over the last 12 months, nor how this compares to the number that were expected.

In the absence of any performance data about the current scheme and with the council acknowledging it is too early to draw any conclusions, we think this is the wrong time to revoke the current scheme and introduce a new larger scheme. There is no clear rationale for the council's decision.

We also have concerns about the 'passporting' arrangements between the old and the new schemes and the adverse impact this could have on landlords and agents who acted responsibly and promptly applied for licences under the current scheme. Selective licences already approved will expire in 2026/27. If a new scheme is implemented later this year, these landlords will have to reapply for a new licence, and pay another fee, in the final year of the new scheme. Effectively, the council's proposed course of action will penalise landlords and agents who have acted responsibly and already obtained a licence.

Whilst the council say this course of action is necessary to avoid the current scheme becoming outdated, inaccurate and confusing, we do not agree. As an example, Tower Hamlets Council recently renewed their selective licensing scheme based on pre-2014 ward boundaries. A change in ward boundaries does not require a new scheme. Any such concerns can be easily resolved by offering an online postcode checker to find out if a property requires licensing.

For the reasons outlined, we object to the council's proposed course of action. Instead, we would encourage the council to continue with the current selective licensing scheme for five years. The council could still consult on plans for a second selective licensing scheme that complements, rather than replaces, the current scheme.

### **Evidence base**

Having reviewed the council's evidence base, we understand the new scheme is being introduced to address poor housing conditions, anti-social behaviour, crime and deprivation. We understand that poor housing conditions is the primary reason for scheme designation and the other factors are secondary reasons.

With poor housing conditions being the main driver, we are concerned that the council is basing their decision on a housing stock condition survey from 2008. We do not think it is reasonable to introduce a licensing scheme in 2022, based on stock condition information from 2008. The private rented sector, and Islington's housing stock, will have markedly changed in the last 14 years.

The council have also referred to property condition data from a 2018 survey of 114 single family properties in the Finsbury Park ward. That area is already covered by a selective licensing scheme. What we don't have is reliable, up to date information about housing conditions in the three proposed wards based on May-2022 ward boundaries.

Whilst service request data highlights Finsbury Park as the area of greatest concern, the six year data mapping is less compelling for the other two wards which feature in 4<sup>th</sup> and 7<sup>th</sup> place. There is also no data to show whether service requests

are trending up or down over the last six years, and it is unclear whether this data that has been published relates to the new or old ward boundaries.

Based on the published evidence base, we would encourage the council to pause and take stock. Part of the area is already subject to licensing. The council has the opportunity to demonstrate successful outcomes in that area. Meanwhile, an updated housing stock survey could be commissioned. In due course, this would put the council in a much stronger position to review options and decide on next steps.

### **Licensing fees**

We recognise that the council need to charge a reasonable fee to cover the cost of administering and enforcing the licensing scheme.

It is important that the council implement an efficient and streamlined licence application processing system. This will help to minimise costs and keep fees at a reasonable level, thereby minimising upward pressure on the rent that is charged to tenants.

We understand the council intends to keep the same selective licensing fee that was set last year i.e., £800 for selective licenses.

We welcome the proposed £75 fee discount for accredited landlords. To encourage better management standards in the private rented sector, we request that the eligibility criteria are widened to include landlords who appoint an accredited safeagent member as the licence holder or designated manager. This will help to professionalise the lettings industry. As highlighted in the introduction, safeagent is a not for profit accrediting organisation for lettings and management agents. All our members are required to deliver defined standards of customer service, operate within strict client accounting standards, maintain a separate client bank account and be included in a Client Money Protection Scheme. Membership of safeagent can be easily verified by visiting our website: <https://safeagents.co.uk/find-an-agent/> or by contacting us by phone or email.

We would encourage the council to offer an early bird discount to landlords who apply before the start date of the scheme. To ensure landlords and agents have sufficient time to prepare such applications, we would request that the application process is launched and early bird discount offered for a three month period before the scheme comes into force.

We would also ask the council to consider what discounted rate, and streamlined licence application system, will be offered to the landlords of existing selectively licensed properties who must reapply for a new licence before the replacement licensing scheme ends.

### **Licence Conditions**

We have studied the proposed list of standard licence conditions in the consultation report.

We have made some suggestions to help improve and fine tune the wording of the conditions. This in turn should help landlords and agents to understand and comply with the requirements.



Condition 2.2: The requirement is to provide tenants with prescribed information about any tenancy deposit within 30 days, and not at the time the deposit is taken.

Condition 2.3: From an equalities perspective, we would ask the council to clarify what happens if a prospective tenant is unable to provide a reference, and yet is reliant on the private rented sector for somewhere to live? Examples include care leavers, ex-offenders, asylum seekers and people fleeing domestic abuse. It is important that such groups retain a legal route to access affordable accommodation in private rented sector.

Condition 3.1: Selective licensing conditions can only relate to the management, use and occupation of the property. The Court of Appeal has confirmed that licence conditions cannot relate to property condition and contents (*Brown v Hyndburn Borough Council* [2018]). All conditions that contravene this requirement should be deleted or reworded to ensure compliance with case law.

Condition 3.2: We do not think immediate action is required to deal with every pest problem that occurs. This would suggest it requires an immediate out of hours response. We would encourage the council to consider a more appropriate timescale. For example, requiring steps to be taken within 14 days, or requiring action within an appropriate timescale having regard to the circumstances.

Condition 3.17: Whereas condition 2.6 requires inspections of the property and external areas every six months, this condition requires 'regular' checks, which could imply a different frequency. Consistency and clarity are important. One inspection every six months would seem reasonable for this purpose.

Condition 4.1: We think the list of documentation that must be given to the tenant is excessive. Whilst some are prescribed documents that must be given to the tenant, it is unusual for tenants in a single family property to be given fire alarm and emergency lighting test certificates and a PAT certificate. The requirement to maintain smoke alarms in good working order is already covered by other licence conditions. The note at the end of condition 4.1 is also incorrect. A property with an EPC F or G rating can still be occupied if the property is covered by a statutory exemption. Plus, licence conditions cannot relate to property condition.

Condition 7.4: We note that some councils ask for a floorplan as part of the licence application process and some do not. The council need to decide if this is a requirement. If it is made compulsory, the council should already have a copy on file in which case the condition serves no purpose.

### **Processing licence applications**

We would ask the council to publish clear service standards setting out the timescale for processing and approving licence applications and to publish regular updates so that performance in this area can be monitored. In other boroughs, we regularly see licence approvals delayed by one year or more due to a backlog of work and inadequate resourcing.

**Delivering effective enforcement**

It is vital that the council maintains a well-resourced and effective enforcement team to take action against those landlords and agents that seek to evade the licensing scheme.

Without effective enforcement, new regulatory burdens will fall solely on those that apply for a licence whilst the rogue element of the market continue to evade the scheme and operate under the radar. This creates unfair competition for safeagent members who seek to comply with all their legal responsibilities. They are saddled with extra costs associated with the licence application process and compliance, whilst others evade the scheme completely.

**Recognising the important role of letting agents**

Letting agents have a critical role to play in effective management of the private rented sector. We would encourage the council to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents such as safeagent licensed firms.

**Regulation of letting agents**

To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a holistic approach that extends far beyond the proposed licensing scheme.

Since October 2014, it has been a requirement for all letting agents and property managers to belong to a government-approved redress scheme. In May 2015, new legislation required agents to display all relevant landlord and tenant fees, the redress scheme they belong to and whether they belong to a client money protection scheme, both in-store and on the company's website. On 1 April 2019, new legislation required letting agents and property managers that hold client money to be members of a government approved client money protection scheme. At safeagent we operate one of the six government approved client money protection schemes.

To assist councils in regulating the private rented sector and effectively utilising these enforcement powers, we developed an Effective Enforcement Toolkit. Originally published in June 2016, the second edition was published in 2018. The third and most recent edition of the safeagent Effective Enforcement Toolkit, developed in conjunction with London Trading Standards, was published in 2021. It can be downloaded free of charge from our website:

<https://safeagents.co.uk/wp-content/uploads/2021/11/safeagent-Effective-Enforcement-Toolkit-2021.pdf>

Should you wish to discuss any aspect of this consultation response, please do not hesitate to contact me. Can you also please confirm the outcome of the consultation exercise in due course.

**Isobel Thomson**  
**Chief Executive**

Safeagent  
Cheltenham Office Park  
Hatherley Lane

Cheltenham  
GL51 6SH

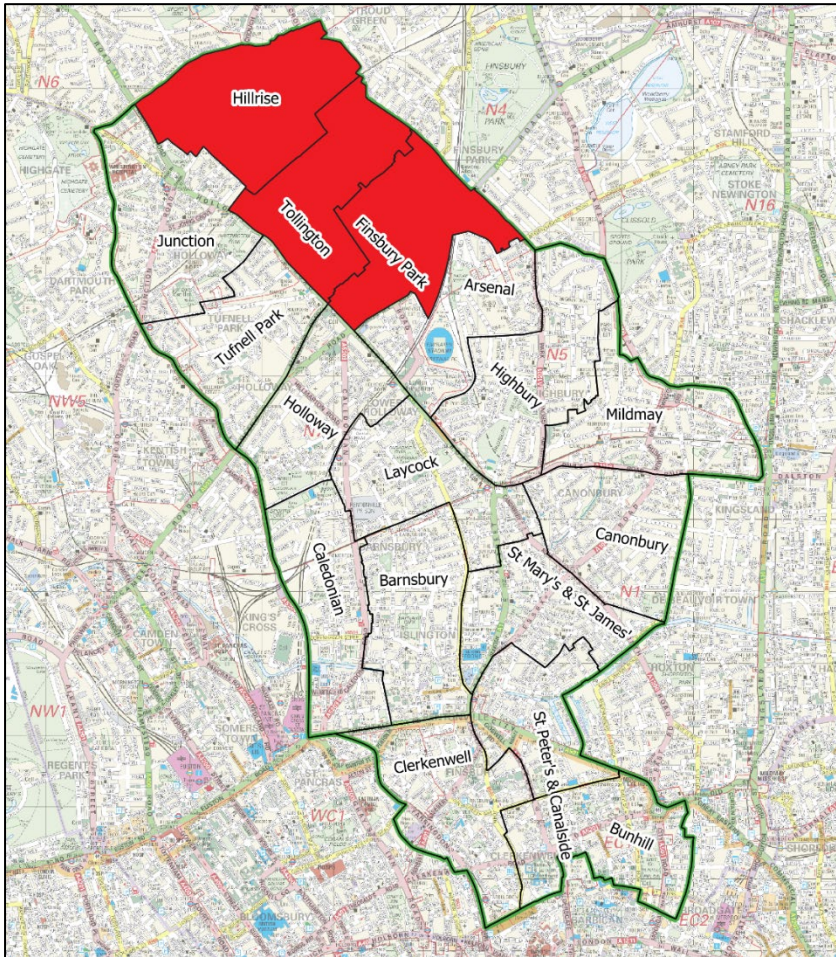
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Appendix D

Map showing the proposed selective licensing area





## **Selective Licence Conditions**

### **Housing Act 2004 Section 90**

#### **1 Permitted Occupation**

1.1 A new resident must not be permitted to occupy the house or any part of the house if that occupation exceeds the following maximum permitted number of persons for the property:  
one household or

- two households of no more than two people

1.2 A new resident means a person who was not an occupier of the house at the date of the issue of the licence

#### **2 Tenancy management**

2.1 Provide all tenants with a written statement of the terms on which they occupy the property and the arrangements in place to deal with repairs and emergency issues.

2.2 Protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. Provide the tenant the prescribed information about the scheme being used at the time the deposit is taken.

2.3 Obtain references from prospective tenants before entering into any tenancy agreement with them. No new occupants shall be allowed to occupy the accommodation if they are unable to provide a reference. The licence holder must retain all references obtained for occupants for the duration of this licence.

2.4 Provide suitable emergency (including out of hours' response) and management arrangements

2.5 When requested provide the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property.

2.6 Conduct an inspection of the property at least every 6 months to identify any problems relating to the condition and management of the property and check that common parts and external areas are free from waste. Keep a written record of the inspection specifying:

the name of person conducting inspection

date and time of inspection

issues identified

action taken

2.7 Take prompt action to address antisocial behaviour arising from the conduct of occupants or visitors to the property by complying with the following requirements:

- On receipt of a complaint of anti-social behaviour concerning a visitor or occupant of the property do not ignore nor fail to take action and take appropriate action to monitor the allegation.
- Inform the occupants in writing about any allegation of antisocial behaviour within 14 days of receipt and consequences of its continuation.
- Where the antisocial behaviour continues after 28 days from receipt of the complaint, visit the property within 7 days and issue a warning letter advising the behaviour is not acceptable, that they are responsible for the conduct of all occupants and visitors, the impact on the local community and the consequences of its continuation.
- Take formal steps under the written statement of terms for occupation if after 14 days of giving the warning letter the anti-social behaviour is unresolved
- Notify the appropriate authorities of antisocial behaviour suspected to involves criminal activity
- Keep a written record of any meetings, telephone conversations or investigations and copies of correspondence regarding antisocial behaviour for 3 years.
- Attend any case conferences or multiagency meetings arranged by the Council or Police upon request.

### **3 Property Management**

- 3.1 Take appropriate steps to remedy any disrepair reported by occupants.
- 3.2 Take immediate action to deal with any pest problem or infestation at the property and ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs
- 3.3 Any gas installation and gas appliance shall be kept in a safe condition at all times. All work on gas appliances must be carried out by a Gas Safe registered engineer.
- 3.4. A current valid gas safety certificate from a Gas Safe registered engineer obtained within the last 12 months, or a Gas Safe Installation Certificate if the boiler was installed in the last 12 months shall be provided to the council annually
- 3.5 The electrical installation in the property shall be maintained in a safe condition. Where requested by the council provide, within 28 days, an electrical installation report issued by a competent person within the last 5 years.
- 3.6 All electrical appliances made available by the licence holder shall be kept in a safe condition. Where requested by the council provide, within 28 day, a written declaration to the safety of such appliances
- 3.7 All furniture made available by the licence holder shall be kept in a safe condition. Where requested by the council, provide within 28 days, a written declaration as to the safety such furniture. All upholstered furniture, covers, fillings, cushions and pillows shall comply with current fire safety requirements.

3.8A smoke alarm shall be installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation.

3.9 Each smoke alarm installed in any room in the house shall be kept in proper working order.

3.10 Where requested by the council, provide a written declaration confirming the positioning and condition of smoke alarms

3.11 Install a carbon monoxide alarm in any room in the property used wholly or partly as living accommodation (including a hall, landing bathroom or WC) and contains a solid fuel burning combustion appliance.

3.12 Any carbon monoxide alarm installed in any room in the property shall be kept in proper working order

3.13 Where requested by the council provide written statement, within 28 days, confirming the positioning and condition of any carbon monoxide alarms

3.14 Provide and maintain adequate security measures to prevent access by intruders and ensure that:

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

3.15 Within 7 days of the start of occupation provide written information to all occupants on the arrangements for the storage and disposal of household recycling and waste. This information must be provided in a clear and easy to understand format which occupants can refer to

3.16 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose. Old furniture, bedding, or rubbish from the property must not be left immediately outside the property nor on private land.

3.17 Carry out regular checks to ensure that occupants are complying with the storage, recycling and disposal of waste arrangements and warn occupants if they, or their visitors, are not using the waste and recycling facilities provided or are leaving waste outside the property.

3.18 Provide adequate facilities for storing, recycling and disposing waste for the number of occupants so that bags or loose refuse or waste for recycling are not stored outside the

property. Ensure that these containers provide for the adequate separation of recyclable, garden (where applicable), food and residual waste.

#### **4 Documents to be displayed**

4.1 Either provide to all tenants at the start of the tenancy or display in the common parts of the property:

- a copy of the licence to which these conditions apply
- a notice with the name, address and emergency contact number of the licence holder or managing agent for the property
- a copy of the current gas safety certificate
- a copy of a valid electrical inspection condition report
- a copy of a valid portable appliance test certificate (PAT) covering all electrical appliances supplied within the property
- a copy of a valid test certificate for the automatic fire alarm system (dated within the last 12 months)
- a copy of a valid test certificate for the emergency lighting system (dated within the last 12 months)
- an appropriate Energy Performance Certificate (EPC)

Note: Landlords cannot grant a new tenancy after 1 April 2018 where the EPC is band F or G. After 1 April 2020 landlords must not continue to let a let property where the EPC is band F or G.

#### **5 Financial Management**

5.1 No person other than the licence holder or the agent named on the licence may collect or receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.

5.2 Where rents are collected or received from occupants, payment must be recorded and all occupants receive a receipt for the payment, unless the occupant is an assured shorthold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

#### **6 Material change of circumstances**

6.1 The Licence Holder must inform the Authority within 21 working days of any material changes in their own circumstances and, within 21 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the property, such as details of

- unspent convictions not previously disclosed to the Authority that may be relevant to the Licence Holder or the property manager or the status of either of them as a 'fit and



proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

- finding by a court or tribunal against the Licence Holder and/or the property manager that he or she has practiced unlawful discrimination.
- a contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
- information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
  - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or
  - ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
  - iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence.
  - iv. which has been the subject of an interim or final management order under the Housing Act 2004

## **7 General Requirements**

- 7.1 Where requested in writing provide written copies of any information or records required by these conditions to the council within 28 days of the date of the request.
- 7.2 Arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.
- 7.3 When requested provide the council the names and numbers of individuals accommodated in the property
- 7.4 When requested provide the council with a plan of the property showing the location and size of all rooms (in square meters), including kitchen, bathroom and wc facilities. The plan shall be provided to the Council within 28 days on demand.
- 7.5 When requested provide the council within 28 days a copy of the tenancy agreement
- 7.6 Inform the Council of any change in ownership or management of the house.
- 7.7 Whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.
- 7.8 Ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

## **8 Deviation from the Licence Conditions**

8.1 Any landlord who wishes to provide accommodation that requires a licence but that does not meet the licence conditions may apply in writing for a deviation from the licence conditions. The request will be considered and the landlord informed of the decision in writing.

Islington Council  
Residential Environmental Health Team  
222 Upper Street London N1 1XR  
Phone: 020 7527 3083  
Email: [property.licensing@islington.gov.uk](mailto:property.licensing@islington.gov.uk)

Selective Licence Application Fee  
2024-2028

Selective licence application fee	Part I: £450.00 per dwelling
	Part II: £350.00 per dwelling
	Total: £800.00 per dwelling
Selective licence application fee for licence holders or managers accredited under the London Landlord Accreditation Scheme, RLA, NLA, safeAgent or ANUK	Part I: £410.00 per dwelling
	Part II: £315.00 per dwelling
	Total: £725.00 per dwelling

# Equalities Impact Assessment:

## Full Assessment

### Summary of proposal

Name of proposal	Extend Selective Property Licensing to all privately rented properties in Hillrise and Tollington Wards and redesignate Finsbury Park Ward for Selective Licensing
Reference number (if applicable)	
Service Area	Homes and Neighbourhoods Regulatory Services
Date assessment completed	Resident Impact Assessment dated 19/12/2019 reviewed and Full EIA 09/05/2023

Before completing the EQIA please read the guidance and FAQs. For further help and advice please contact [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk).

# 1. Please provide a summary of the proposal.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

Residential Environmental Health provides a predominantly reactive approach to improving housing conditions in the private rented sector relying on tenants having the knowledge and confidence to report poor housing conditions and management standards.

Property Licensing is a tool that can be used to provide a planned approach to improving housing conditions in the private rented sector by setting clear standards for the management, facilities and conditions of properties.

There are three Property Licensing Scheme currently operating in the borough

- Mandatory Licensing Large HMOs (5 or more households)
- Additional Boroughwide Licensing HMOs for 3 or 4 households
- Selective Licensing of all one and two person households in the private rented sector in the 'old' ward of Finsbury Park

The proposal is to extend property licensing to Tollington and Hillrise wards and redesignate Finsbury Park to reflect the ward boundaries that came into effect in May 2022

## **Aims and Objectives**

The Selective Property Licensing Scheme is a 5 year licensing scheme intended to improve conditions for tenants renting private accommodation.

In order to identify the most appropriate areas of the borough for selective licensing we collated data from a number of sources, including council and census data, private renters complaints and enforcement. The data was published as part of the statutory consultation and is attached as appendix A to the Report recommending that selective property licensing is an appropriate tool to deal with poor property conditions in privately rented properties in Finsbury Park, Tollington and Hillrise Wards support the proposal to introduce selective licensing in these wards.

If the scheme is implemented landlords would have to:

- demonstrate that they are able to manage rented accommodation and do not have any relevant criminal convictions that could present a risk to the health, safety and welfare of tenants

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

- apply for a property licence
- comply with requirements concerning the management, use and occupation of their rented property.

### **Affected Groups**

People directly impacted by this policy are:

- landlords providing private rented accommodation in three wards
- privately renters living in in Finsbury Park, Tollington and Hillrise wards

We estimate that 5800 private renters live in properties in these three wards. The number of landlords and managing agents will be less to reflect the fact that some will own or manage a number of properties in these wards.

### **Benefits**

The 2021 census indicates that 29% residents live in private sector rented accommodation. The 2020/21 English Housing Survey reported that the average household spent 34% of their income on rent but this is likely to be much higher now with the cost-of-living crisis. LBI inspection data for the last three years suggests that in at least 43% properties covered by the proposed schemes require some improvement in terms of property and management standards

#### **Benefits for landlords**

Selective licensing benefits landlords, tenants and the local community by helping to ensure that all private rented property within the designated areas is managed to a satisfactory standard.

Licensing creates a level playing field for responsible landlords who meet the required standards and it helps landlords to protect the investment in their property.

Licensing enables the council to identify landlords that need to take action to bring their properties up to standard and to take robust enforcement action against the minority of rogue or criminal landlords who fail to invest in their properties and meet their legal obligations.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

### **Benefits for tenants**

Many tenants are unaware that they can complain about poor housing conditions and others fear eviction if they complain about their landlords.

Licensing allows the council to adopt a proactive approach to identifying private rented properties and undertaking a risk based approach to tackling poor housing conditions and raising standards in private rented housing.

Licensing requires the landlord to demonstrate good management practices. If a landlord is not able to demonstrate that they are a fit and proper person to manage the accommodation a licence will not be granted.

### **Benefits for the local community**

If privately rented properties are poorly managed, this can have a negative impact on the wider neighbourhood.

Licensing helps landlords to manage their properties effectively, including the implementation of tenancy conditions to combat anti-social behaviour, poor waste management or neighbourhood nuisance caused by their tenants or people visiting their properties.

### **Savings**

Landlords will pay an application fee, current set at £800 per property for a five-year licence. The licensing income is used to pay the cost of employing staff to administering the scheme including managing applications, issuing licenses, inspecting properties requiring a licence and any follow-up enforcement activity.

The scheme is designed to be self- financing with 100% income generated covering the cost of setting up and implementing the licensing scheme

## 2. What impact will this change have on different groups of people?

Please consider:

- Whether the impact will predominantly be external or internal, or both?
- Who will be impacted – residents, service users, local communities, staff, or others?
- Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?

### Impacts

Impacts will be predominantly external

People most impacted will be:

- Private Renters living in Finsbury Park, Tollington and Hillrise wards
- Landlords and Managing Agents renting residential property in Finsbury Park Tollington and Hillrise Wards

### Impact on Private Renters

Renting residential property from landlords or managing agents who

- have demonstrated that they are able to manage rented accommodation and do not have any relevant criminal convictions that could present a risk to the health safety and welfare of tenants
- meet minimum standards for providing and managing privately rented residential accommodation
- hold a licence that clearly identifies clear information about the identity of the landlord and managing agent

### Impact on Landlords and Managing Agents

- landlords who do not meet the management standards will need to employ the services of a competent managing agent to manage the property
- apply and pay for a licence – currently £800
- submit copies of the gas safety, electrical safety, fire alarms, energy performance certificates as part of their application
- comply with minimum standards for the management, use and condition of rented property
- take appropriate action to bring lettings up to the required standard



Please consider:

- Whether the impact will predominantly be external or internal, or both?
- Who will be impacted – residents, service users, local communities, staff, or others?
- Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?

### 3. What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

This section of the assessment looks in detail at the likely impacts of the proposed changes on different sections of our diverse community.

#### 3A. What data have you used to assess impacts?

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

Key sources of useful open source data in on the private rented sector are Census 2021 and English Housing Survey.

Key headlines:

65% private renters under 45 years, 43% aged 25-34years

78% private renters are in employment

Private rents are higher in London than the rest of the country,

Private rent in London is on average £353 per week - significantly higher than social and council housing rent.

The average length of tenure in the private rented sector is 4 years, significantly lower than all other forms of tenure.

There is no published data on landlords and managing agents that can assist with the EIA.

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

When considering the designation of a selective licensing schemes the legal framework requires the council to consider the follows factors:

1. the area must have a high proportion of privately rented properties
2. poor property conditions in the private rented sector
3. a significant and persistent problem caused by anti-social behaviour
4. high levels of crime
5. high levels of deprivation
6. high levels of migration
7. low housing demand

The consultation document explained the approach to collecting and analysing relevant data and concluded that level of poor property conditions in the private rented sector in Finsbury Park, Tollington and Hillrise Wards met the requirement to designate a selective licensing. Levels of anti-social behaviour, crime and deprivation were supporting factors, migration and low housing demand did not contribute to the decision to introduce the new scheme.

The Consultation Document is published on our website

[Public consultation on new proposals for private rented housing licensing scheme \(islington.gov.uk\)](https://www.islington.gov.uk)

3B: Assess the impacts on people with protected characteristics and from disadvantaged groups in the table below.

Please first select whether the potential impact is positive, neutral, or negative and then provide details of the impacts and any mitigations or positive actions you will put in place.

Please use the following definitions as a guide:

Neutral – The proposal has no impact on people with the identified protected characteristics

Positive – The proposal has a beneficial and desirable impact on people with the identified protected characteristics

Negative – The proposal has a negative and undesirable impact on people with the identified protected characteristics

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Age	Positive	Positive impact: Improving housing conditions for private renters	Enhanced by: robust enforcement against property owners who provide sub standard or poorly managed properties

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Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Disability (include carers)	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Race or ethnicity	Positive	Positive impact: Improving housing conditions for private renters	Enhanced by: robust enforcement against property owners who provide sub-standard or poorly managed properties

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Religion or belief (include no faith)	Neutral		
Gender and gender reassignment (male, female, or non-binary)	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Maternity or pregnancy	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Sex and sexual orientation	Neutral		
Marriage or civil partnership	Neutral		



Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
<p>Other Age (e.g. elderly)                      (e.g. people living in poverty, looked after children, people who are homeless or refugees)</p>	<p>Neutral</p>		

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## 4. How do you plan to mitigate negative impacts?

Please provide:

- An outline of actions and the expected outcomes
- Any governance and funding which will support these actions if relevant

Not applicable

## 5. Please provide details of your consultation and/or engagement plans.

Please provide:

- Details of what steps you have taken or plan to take to consult or engage the whole community or specific groups affected by the proposal
- Who has been or will be consulted or engaged with
- Methods used or that will be used to engage or consult
- Key findings or feedback (if completed)

Statutory and resident engagement was carried out between Dec 2021 to March 2022.

The consultation was circulated to key stakeholders including landlords, tenants, local faith groups via letters and emails, advertised through council communication channels and published on the Islington Council website.

The consultation mainly took the form of an online, sixteen question survey, including an open final question. Respondents could also write in by email and letter. Alongside the consultation survey, Islington published a Full Consultation Document, a Summary Consultation Document and a set of FAQs to fully outline the proposed scheme, the evidence and the justification for the scheme. Islington also held three online information sessions, at which officers were present to answer questions and record concerns raised. Although well-advertised, these were not well attended.

It has to be said that the consultation wasn't well responded to, despite a well-structured press and social media campaign, and letters/emails to the affected stakeholders. This could be due to the fact that the existing property licensing scheme has ensured that stakeholders are much more aware of property licensing as a concept and are accepting of the proposals compared with when the council first consulted on the existing scheme.

Consultation feedback indicated that:

Landlords were generally not supportive of the proposal

The combined feedback from interested voluntary, community or faith sector Malini, that were not landlords, and private renters supported the proposal.

The consultation feedback, and LBI response, is published in appendix C of the report proposing the adoption of the scheme

## 6. Once the proposal has been implemented, how will impacts be monitored and reviewed?

Please provide details in the table below.

Action	Responsible team or officer	Deadline
Applications received	Property Licensing Team	Quarterly
Inspection Outcomes	Residential Environmental Health Managers	Quarterly
End of Scheme Review	Residential Environmental Health Managers	Jan 2029

Please send the completed EQIA to [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk) for quality checking by the Fairness and Equality Team. All Equality Impact Assessments must be attached with any report to a decision-making board and should be made publicly available on request.

This Equality Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.

Member	Name	Signed	Date
Staff member completing this form	Janice Gibbons	Janice Gibbons	10 May 2022

Member	Name	Signed	Date
Fairness and Equality Team	Hezi Yaacov-Hai	Hezi Yaacov-Hai	19/05/2023
Director or Head of Service	Andy Opie	Andy Opie	18/5/23

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Community Wealth Building  
Town Hall, Upper Street, N1 2UD

Report of: Executive Member for Finance, Planning and Performance

Meeting of: Executive

Date: 20 July 2023

Wards: Bunhill, Clerkenwell, St Peter's and Canalside, St Mary's and St James', Finsbury Park, Caledonian, Laycock, Barnsbury.

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## Subject: Confirmation of Article 4 Directions to withdraw Permitted Development right for Change of Use from Class E to Dwellinghouses (Class MA).

### 1. Synopsis

- 1.1 The council is committed to creating a more equal future for Islington where everyone who lives here is able to thrive. To support the achievement of this ambition, the council is committed to delivering an inclusive local economy. This means that the council will work to ensure that the economic wealth and opportunities that are generated in Islington remain in Islington and are distributed more fairly to local people and small and micro businesses. The council is also committed to ensuring that everyone has a safe place to call home and achieving Net Zero Carbon emissions in the borough by 2030.
- 1.2 In 2020 the Government introduced new permitted development rights. These rights enable landowners to change the use of a property from a broad range of commercial and community uses to a residential use without planning permission. The council is concerned about these rights because:
  - they have the potential to undermine the economic functioning of the borough's retail and employment areas and act to the detriment of micro and small businesses and local shops and services.

- they enable landowners to bypass the council's planning policies for example in respect of affordable housing, housing quality standards, and energy efficiency.

1.3 The imposition of these permitted development rights is therefore contrary to the council's ambition to deliver a more equal Islington because they undermine the council's ability to:

- support a more equal, diverse and inclusive economy; and
- deliver genuinely affordable, high quality and energy efficient homes for local people.

3.8 Provided that the relevant statutory and national planning policy requirements are met, the council is able to remove these rights through the introduction of Article 4 Directions. In August 2022 the council notified interested parties that it intends to introduce Article 4 Directions in the areas indicated in Appendix One of this report. These areas are: parts of the Central Activities Zone (CAZ) and its periphery including the Angel town Centre; the Vale Royal/ Brewery Road LSIS; and the two Specialist Shopping Areas at Camden Passage and Fonthill Road. Ten responses to the notification were received and are summarised below and in Appendix Two.

1.4 The Secretary of State for Levelling Up, Housing and Communities has wide ranging powers to require the modification or withdrawal of Article 4 Directions. The Secretary of State has been notified and has confirmed that they do not intend to intervene in respect of these Directions. Work is underway to protect further part of the borough including the

## 2. Recommendations

2.1 To authorise the confirmation of Article 4 Directions, which withdraw the permitted development right, which allows a change of use from Class E to Dwellinghouses. The Directions will come into force on or after 31 August 2023. The areas that the Directions cover are indicated on the plan at Appendix 1.

2.2 To note that the council is currently working on the introduction of a second phase of Article 4 Directions and that these Article 4 Directions will particularly focus on Islington's town centres and other local retail and employment areas.



### 3. Background

- 3.1 On 1 September 2020, an amendment to the planning Use Classes Order came into effect creating the new Use Class E (Commercial, Business and Services). This class incorporates the following uses:
- B1 (business).
  - A1 (shops).
  - A2 (financial and professional services).
  - A3 (restaurants and cafes).
  - Uses from the previous D1 and D2 use classes (indoor sport, recreation, fitness, medical, health, nursery, crèche and day centres).
- 3.2 Planning permission is not normally required for change of use within the same planning use class including within the E Use Class.
- 3.3 Following the introduction of the E Use Class, through a change to legislation<sup>1</sup> the Government introduced a further permitted development right known as Class MA. This right, which came into effect on 1 August 2021, permits most land or buildings in Use Class E to be converted to a residential use (Class C3) through the prior approval process. This means that planning permission for a change of from Class E to a residential use is not always needed and the council's planning policies cannot be applied to this form of development.
- 3.4 Permitted development rights can be withdrawn through the introduction of Article 4 Directions. The National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) state that the use of Article 4 Directions should be limited to situations where they are necessary to avoid wholly unacceptable adverse impacts on an area, or to protect local amenity and / or the wellbeing of the area. The PPG notes that the potential harm that the Direction is intended to address should be clearly identified.
- 3.5 Planning officers gathered detailed, up-to-date, and comprehensive evidence (primary and secondary) to support a proposal for Article 4 Directions. This included evidence on commercial, residential, retail, leisure and hospitality uses down to an individual site or building level.
- 3.6 Based on the Council's evidence, the following would be the main impacts of uncontrolled Class MA on the proposed Article 4 Directions areas:

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<sup>1</sup> The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021

- Existing office users would be unable to expand, they may be forced to leave the area and new companies would be unable to locate there due to space being unavailable or unaffordable due to scarcity.
- Lack of space or higher cost of space would obstruct the emergence of specialist employment and retail clusters and the growth of those already in existence.
- The rich and diverse mix of retail, employment and hospitality uses which contributes to attractiveness of Islington and London would be eroded.
- Unrestricted Class MA would make it difficult to efficiently use scarce land and deliver development at scale. This would harm employment intensification and housing delivery.
- The council would lose its ability to secure high quality and genuinely affordable homes in this area where a change of use is considered to be acceptable.

- 3.7 In preparing the Directions, officers considered a wide range of studies, commissioned evidence and carried out a site-by-site mapping of the Central Activities Zone and the other Direction areas. The studies referred to included Local Plan evidence such as the Employment Land Study (2016), Review of B-Use Premises and Permitted Development Rights (2016), Retail and Leisure Study (2017), GLA studies such as the London Office Policy Review (2017) and consultant research such as “Remixing Central London” by the Centre for London. The council also commissioned a study from University College London entitled “Understanding permitted development for commercial-to-residential change of use in Islington” (2022). This indicated very low levels of vacant commercial premises in Islington.
- 3.8 Map-based surveys and site visits were used to gather evidence about all the areas in the scope of the Directions. These fine-grained site-by-site investigations helped officers build up a detailed knowledge of employment clusters and communities in the affected areas. They assessed this information against the strategic objectives for the Central Activities Zone (CAZ) and its periphery, the Vale Royal/ Brewery Road LSIS and the two Specialist Shopping Areas at Camden Passage and Fonthill Road.
- 3.9 In assessing the evidence, officers identified sites where the change of Class E uses to residential would result in wholly unacceptable adverse impacts. Because Class MA could impact heavily on specialist employment clusters and communities in the CAZ, the proposed Article 4 Directions are mostly located in this area and its periphery.
- 3.10 The sites where Class MA criteria would be insufficient to protect key Class E uses have been included in the Directions. In most cases, these are individual sites. However in the densest employment locations, such as the south of the Borough,

entire blocks are included. The proposals do not however involve a blanket Article 4 Direction coverage of the CAZ.

- 3.11 Sites and blocks are therefore only subject to Directions where their inclusion is justified by robust evidence and they meet the strict NPPF and PPG tests.
- 3.12 The Council has therefore prepared detailed evidence setting out the wholly unacceptable adverse impacts that would result from the uncontrolled introduction of Class MA in the areas subject to the Directions. This rigorous mapping exercise has ensured that the Directions cover the smallest possible geographical area.
- 3.13 The Directions are therefore considered to be fully in accordance with the NPPF and PPG.
- 3.14 This supporting evidence was summarised and assessed in a delegated report which was signed by the Director of Community Wealth Building in August 2022. The notification of the proposed Article 4 Directions was subsequently consulted on as required by legislation.

### **Compensation and Non - Immediate Directions**

- 3.15 It should be noted that compensation to landowners may be payable if the following procedure is not followed (as set out in section 108 of the Town and Country Planning Act) i.e.:
- The withdrawn permitted development right is of a prescribed description as set out in the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended).
  - The permitted development right is withdrawn in the prescribed manner.
  - Notice of withdrawal is given in the prescribed manner i.e. not less than 12 months and no more than two years before it takes effect.
- 3.16 On 23 August 2022 the council provided notification about the proposed introduction of Article 4 Directions covering the following areas:
- Central Activities Zone (CAZ) and CAZ Fringe in Kings Cross Area;
  - Vale Royal/Brewery Road Locally Significant Industrial Site;
  - Fonthill Road Specialist Shopping Area; and
  - Camden Passage Specialist Shopping Areas.

3.17 These Directions were non-immediate and will not come into force until the expiry of a year following the making of the Directions i.e. 31 August 2023. This will remove the council's liability to compensate landowners.

## Consultation

3.18 As required by the statutory procedures, the council consulted on the proposed Article 4 Directions from 23<sup>rd</sup> September until 4<sup>th</sup> of November 2022. This was in the form of:

- Site Notices (165 locations);
- Informing those on the council's planning policy consultation list; and
- Notices published in the Islington Gazette and the Evening Standard.

3.20 Ten responses were received to the public consultation. These were from individuals, local groups and organisations such as the GLA and Natural England. These responses are summarised as follows:

- Five responses in support of the proposals.
- One response expressing no comment.
- One response stating the A4D was not comprehensive enough and the time-period for adoption was too long.
- One response asked questions about a specific site and if the council's decision on sites was final.
- Two objections were received:
  1. One described the A4D as an unnecessary control on the flexible use of buildings that will reduce the supply of housing.
  2. One objection argued site-specific reasons for why a building should be excluded from the A4D. This objection also raised general concerns about the council's evidence, changes in the London office market that have resulted in less demand for secondary space and the potential contribution of vacant secondary offices in accessible locations to housing supply, with limited carbon footprint.

3.19 A further summary of the representations is contained in Appendix 2 together with detailed responses from planning officers.

3.20 The Secretary of State has wide ranging powers to revoke or amend these Directions if they do not comply with national planning policy or guidance. In this instance the Secretary of State has been properly and consulted and has decided that they will not intervene in this instance.

- 3.21 The council is in the process of gathering evidence and developing a second tranche of Class MA A4 Direction for other parts of the Borough such as town centres and local shopping areas.

## 4. Implications

### 4.1 Financial Implications

- 4.1.1 If a local planning authority makes an A4D, it may be liable to pay compensation to those whose permitted development rights have been withdrawn in the event that planning permission is refused for such development. However, no compensation is payable if the correct procedure is followed, as set out in section 108 of the Town and Country Planning Act.
- 4.1.2 The costs associated with publishing and consulting on the A4D is estimated to be £30,000. The costs were funded within the existing budget of Planning and Development for 2022-3.

### 4.2 Legal Implications

- 4.2.1 An A4D removes the specified permitted right and means that an express grant of planning permission will be required for the change of use. If the non-immediate procedure is followed then the A4D would, if confirmed, come into force one year from the date of the publication of the notice, so that the council would not be liable to pay compensation should planning permission be refused or granted subject to conditions.
- 4.2.2 Legal Services advised on the form of the notice and linked procedures which are specified in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Secretary of State has extensive powers to withdraw or modify the geographic coverage of the Direction at any time. The council has power to cancel the Direction by subsequent Direction.
- 4.2.2 If confirmed by Executive, the A4D will be publicised via local advertisement and site notices. The GPDO requires the local planning authority to serve notice on the owner and occupier of every part of the land within the area or site to which the A4D relates, unless they consider that individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person; or the number of owners or occupiers within the area to which the A4D relates makes individual service impracticable. In this case, it is considered that it would be impracticable for the council to identify and individually notify all parties potentially

affected by the proposed A4Ds.

### **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

4.3.1 The A4D is likely to have a positive environmental impact as, by re-introducing the need for planning permission for certain proposals, they will allow relevant planning policies to be applied – in particular the existing Core Strategy, Development Management Policies and Finsbury Local Plan, which set out policies relating to sustainability of residential development, which is due to be replaced by the new Local Plan in the future. Rather than the light-touch prior approval process, developers would need to comply fully with the Council's sustainability policies to secure planning permission. This would help the Council achieve its target of net zero carbon by 2030 and other policies to protect the local and global environment.

### **4.4 Equalities Impact Assessment**

4.4.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2 An Equalities Impact screening exercise was carried out with input from the Council's Fairness and Equality Team. Restricting this PD right was found to potentially impact on a wide range of people and organisations in the Borough including residents, businesses and community groups. However, no negative impacts were identified in the screening exercise and a neutral impact was identified for all groups of people. The screening assessment did not identify a negative impact in relation to any of the groups with protected characteristics. The Directions would allow the Council to assess applications against its policies and avoid negative impacts, and a full Equalities Impact Assessment Report is not required in relation to this proposal.

## 5. Conclusion and reasons for recommendations

- 5.1 The Class MA prior approval process is light touch in nature and in the absence of Article 4 Directions the council would have minimal control of changes of use from Class E to residential. As a result, significant amounts of viable, attractive commercial and community floorspace would potentially be at risk of being lost.
- 5.2 The proposed Article 4 Directions are limited to situations where it is necessary to avoid wholly unacceptable adverse impacts and to protect local amenity and the well-being of the area. The Article 4 Directions cover the smallest geographical area possible and, are based on robust evidence. As a result, the making of the proposed Directions is fully in accordance with paragraph 53 of the NPPF.
- 5.3 The proposed Article 4 Directions would enable the council to assess proposals for change of use from Class E to residential against adopted planning policies in four important employment and retail locations in the borough. The confirmation of the Directions is therefore supportive of the council's ambition to create a more equal borough, enable an inclusive economy, provide good quality genuinely affordable homes and reduce carbon emissions.

### **Appendices:**

- Appendix 1 – Article 4 Directions to be confirmed
- Appendix 2 – Consultation Statement

### **Background papers:**

**None.**

### **Final report clearance:**

Authorised by:

**Executive Member for Finance, Planning and Performance**

Date: 11 July 2023

Report Author: John Sheehy

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Email: [abdulrazak.kassim@islington.gov.uk](mailto:abdulrazak.kassim@islington.gov.uk)

Legal Implications Author: Laura Avery

Tel: 020 7527 3226

Email: [laura.avery@islington.gov.uk](mailto:laura.avery@islington.gov.uk)



**LONDON BOROUGH OF ISLINGTON**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
(ENGLAND) ORDER 2015**

**DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT**

**WHEREAS THE LONDON BOROUGH OF ISLINGTON** being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO"), is satisfied that it is expedient that development of the description(s) set out in the First Schedule below should not be carried out on the land described in the Second Schedule below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

**NOW THEREFORE** the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 hereby directs that the permission granted by Article 3 of the GPDO shall not apply to development specified in the First Schedule hereof in respect of the land shown shaded red on the attached plan and described in the Second Schedule hereof:

**FIRST SCHEDULE**

In respect of land described in the Second Schedule

Being development comprised within Schedule 2 Part 3 Class MA of the GPDO namely:

"Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order"

and not being development comprised within any other class.

**SECOND SCHEDULE**

Land shown only shaded red on the attached plan and being parts of the Central Activities Zone and Central Activities Zone Fringe in the King's Cross area within the London Borough of Islington.

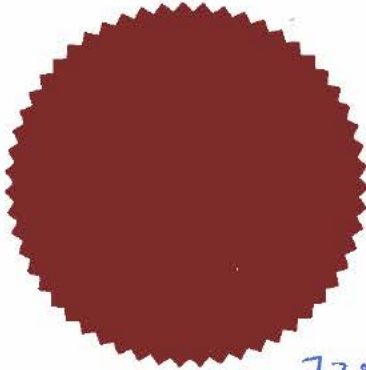
**THE DIRECTION** is made under Article 4(1) of the said Order and in accordance with Article 4(4) and Schedule 3 of the said Order.

Made under the Common Seal of London Borough of Islington this 30th of August 2022.

The common Seal of the Council was affixed to this Direction in the presence of

..... [REDACTED] .....

London Borough of Islington Authorised Signatory



728749

Confirmed under the Common Seal of London Borough of Islington

this        of        202 .

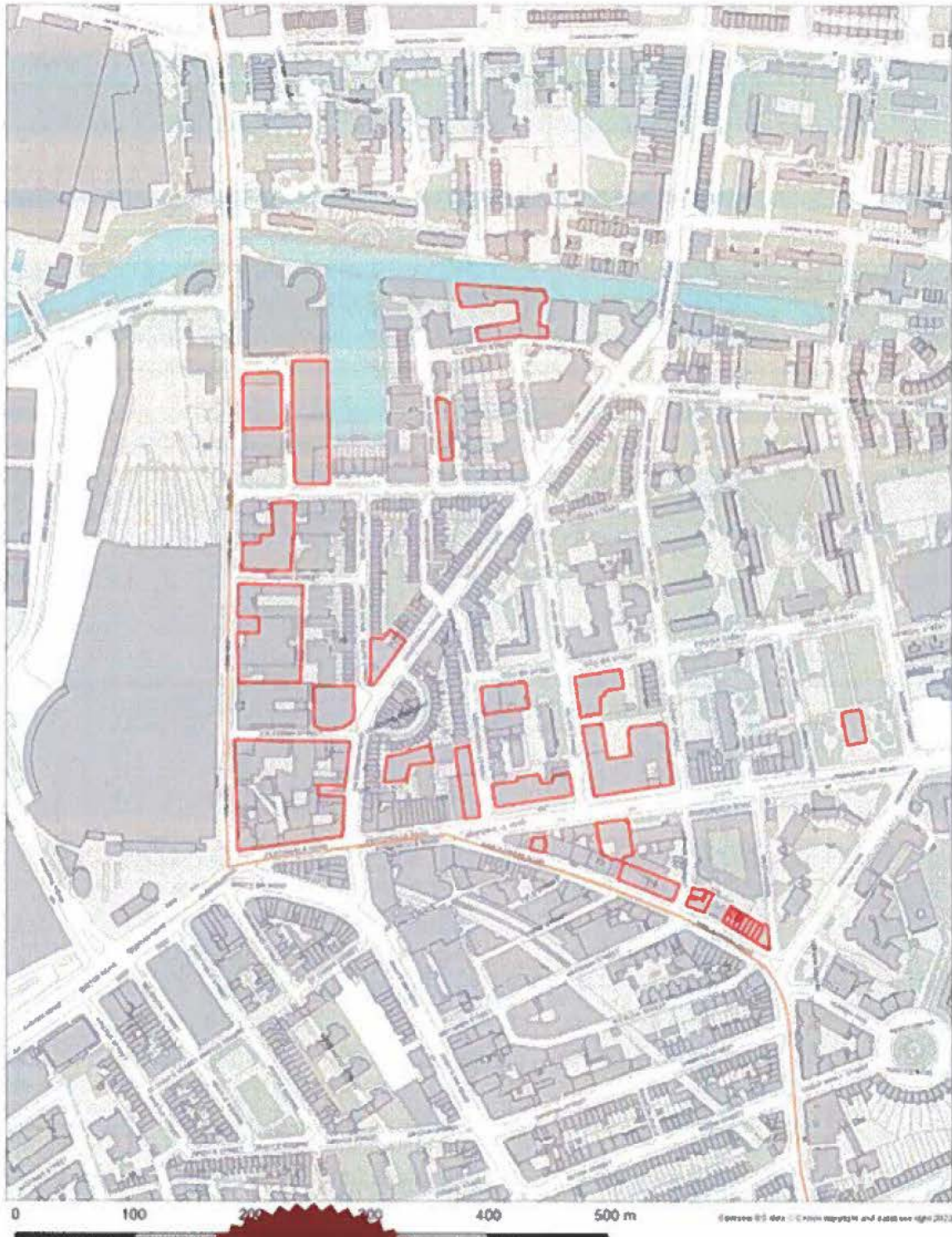
The Common Seal of the Council was affixed to this Direction in the presence of

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London Borough of Islington Authorised Signatory

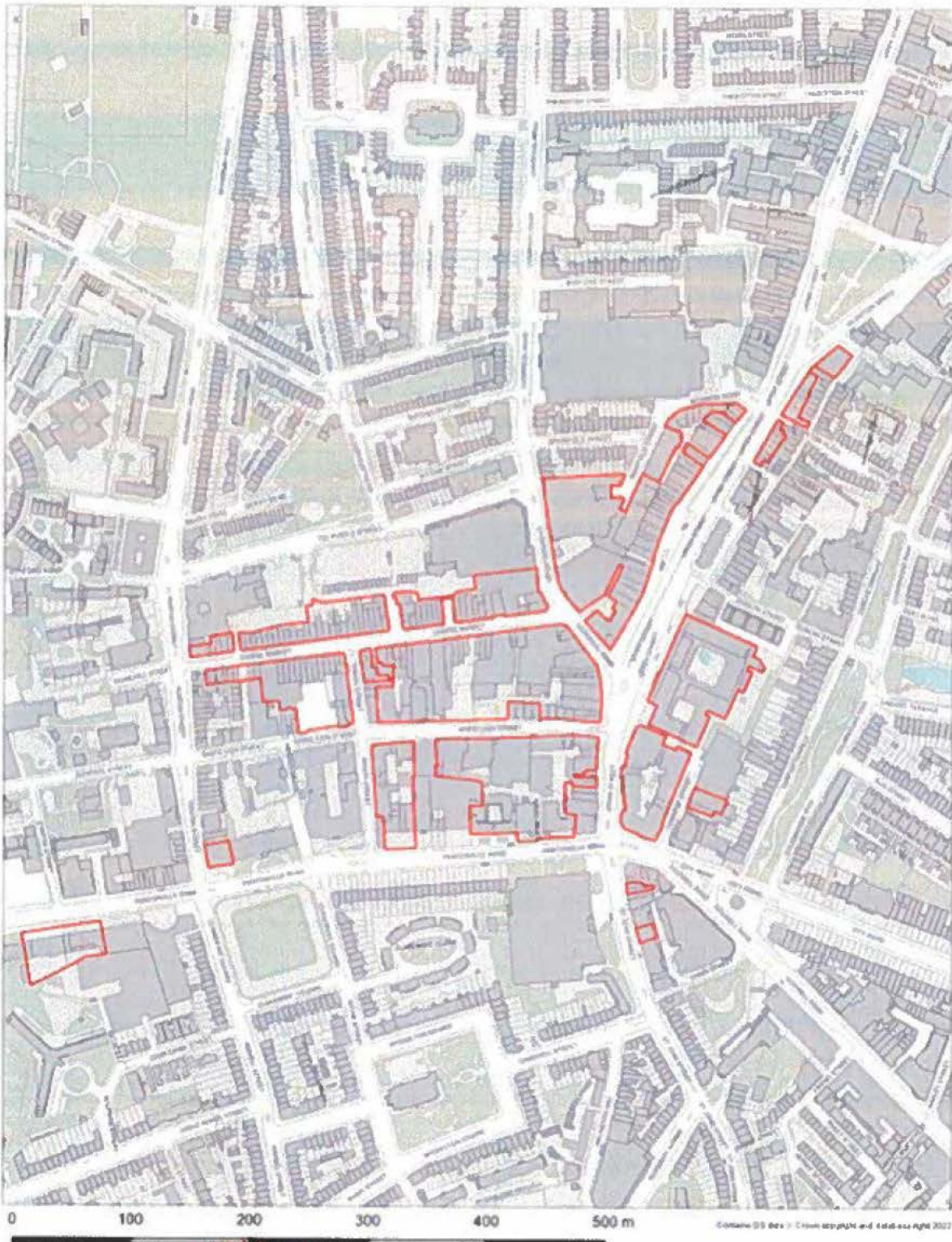
Second Schedule:

Map 1 of 4 north-west:



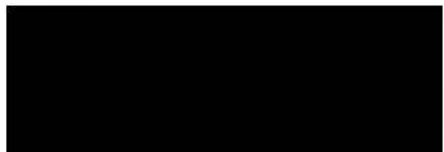
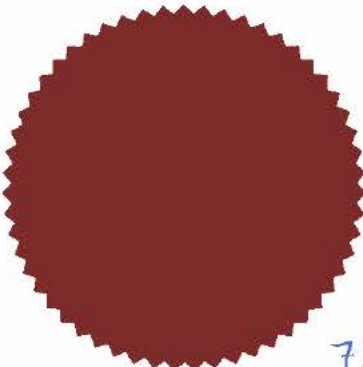
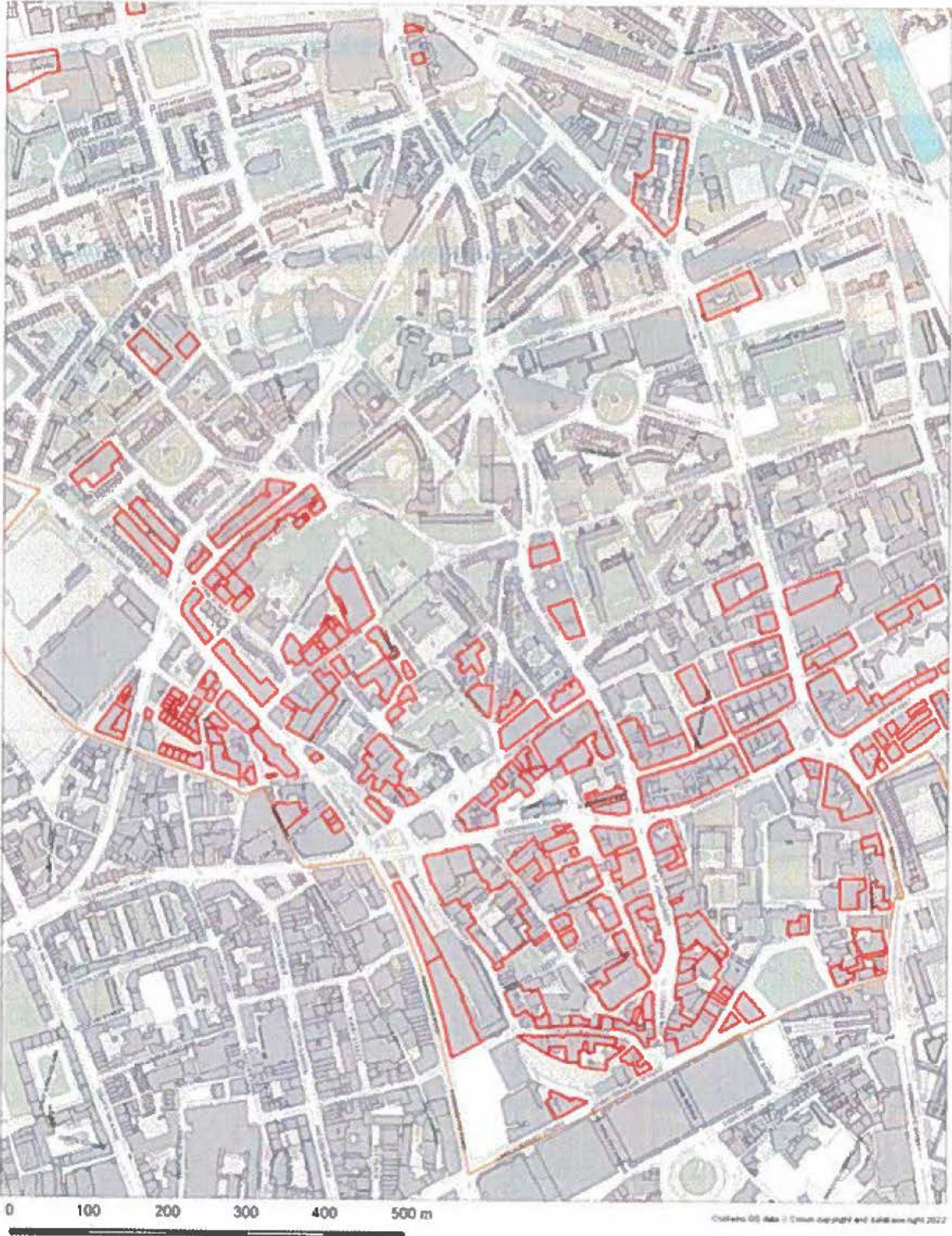
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Map 2 of 4 north-east:



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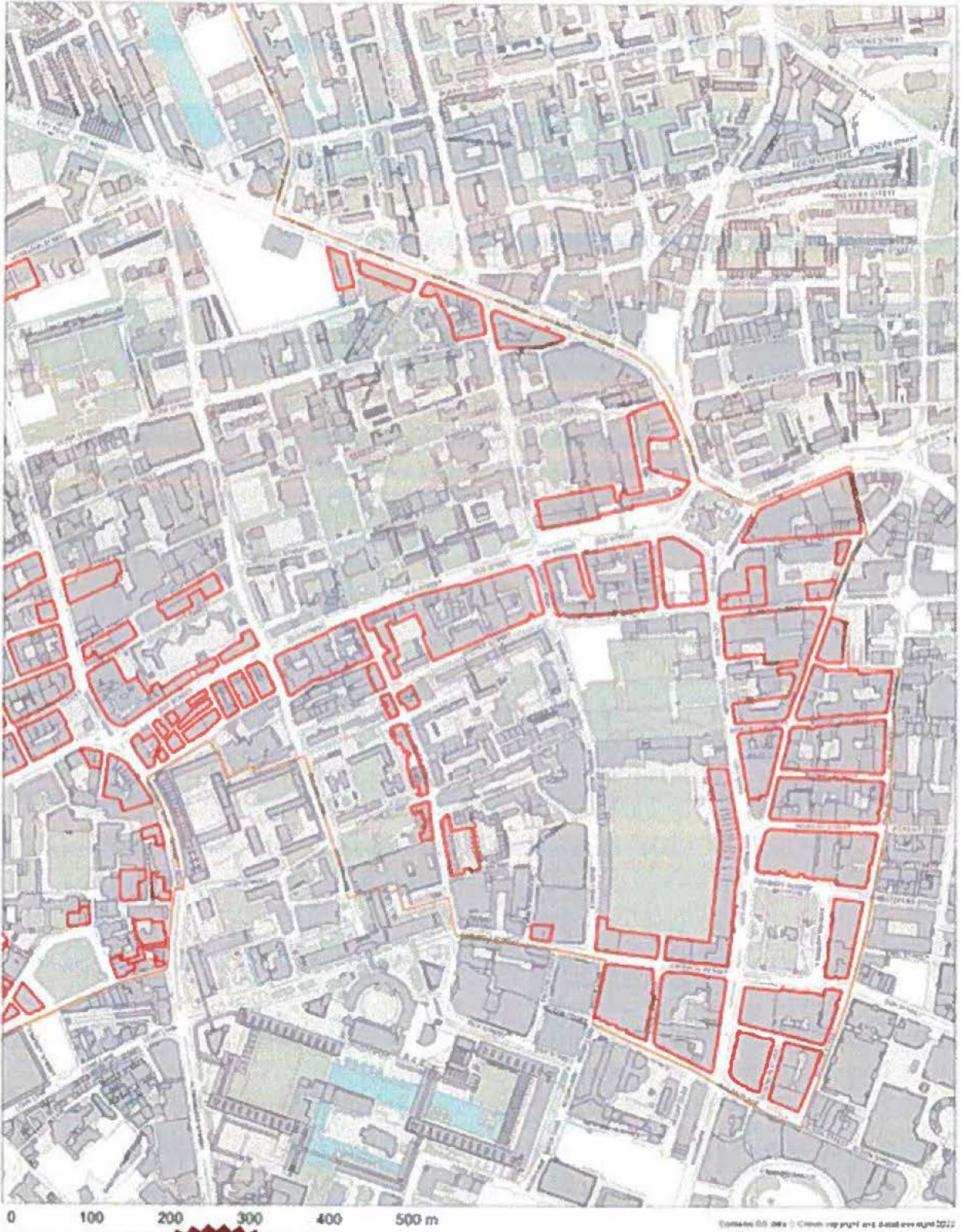
Map 3 of 4 south-west:



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Map 4 of 4 south-east:



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**LONDON BOROUGH OF ISLINGTON**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
(ENGLAND) ORDER 2015**

**DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT**

**WHEREAS THE LONDON BOROUGH OF ISLINGTON** being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO"), is satisfied that it is expedient that development of the description(s) set out in the First Schedule below should not be carried out on the land described in the Second Schedule below, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

**NOW THEREFORE** the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 hereby directs that the permission granted by Article 3 of the GPDO shall not apply to development specified in the First Schedule hereof in respect of the land shown shaded red on the attached plan and described in the Second Schedule hereof:

**FIRST SCHEDULE**

In respect of land described in the Second Schedule

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and not being development comprised within any other class.

**SECOND SCHEDULE**

Land shown only shaded red on the attached plan and being the Vale Royal/Brewery Road Locally Significant Industrial Site.

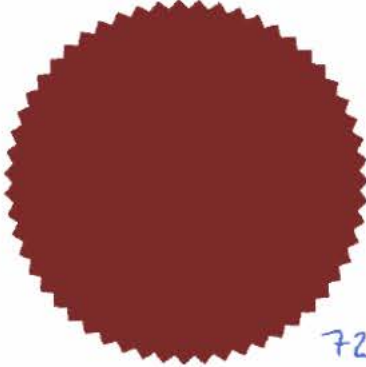
**THE DIRECTION** is made under Article 4(1) of the said Order and in accordance with Article 4(4) and Schedule 3 of the said Order.

Made under the Common Seal of London Borough of Islington this 30th of August 2022.

The common Seal of the Council was affixed to this Direction in the presence of

..... [Redacted] .....

London Borough of Islington Authorised Signatory



728746

Confirmed under the Common Seal of London Borough of Islington

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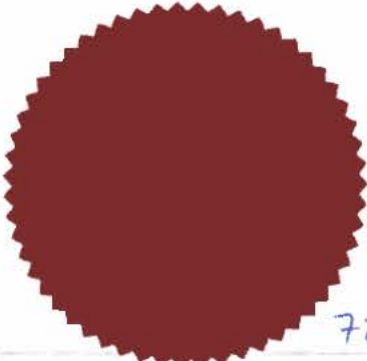
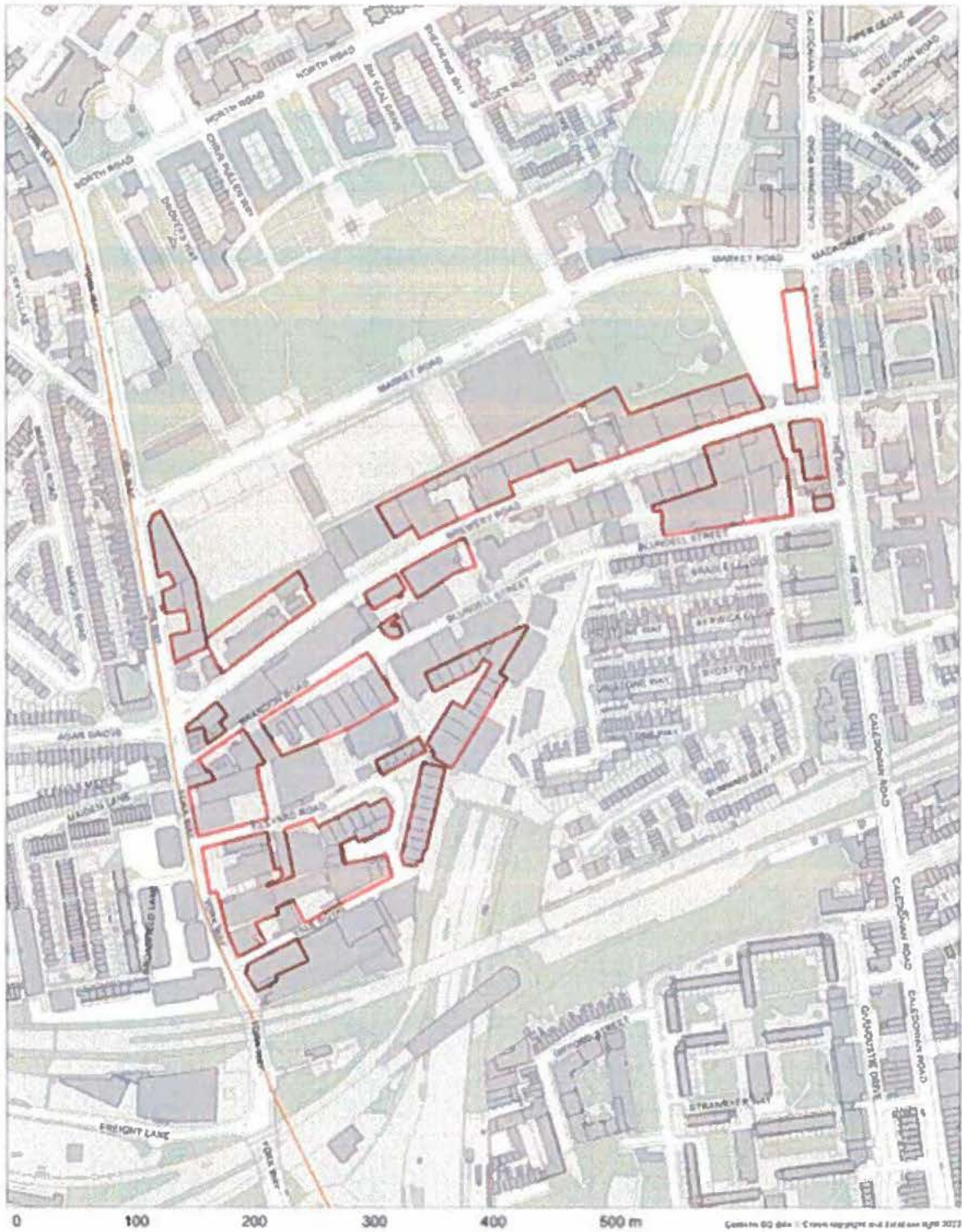
The Common Seal of the Council was affixed to this Direction in the presence of

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London Borough of Islington Authorised Signatory



Second Schedule:



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**LONDON BOROUGH OF ISLINGTON**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
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and not being development comprised within any other class.

**SECOND SCHEDULE**

Land shown shaded red on the attached plan and being that part of Camden Passage Specialist Shopping Area that does not fall within the Central Activities Zone (CAZ).

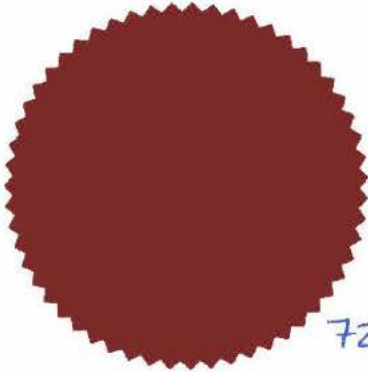
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Made under the Common Seal of London Borough of Islington this 30th of August 2022.

The common Seal of the Council was affixed to this Direction in the presence of

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London Borough of Islington Authorised Signatory



728748

Confirmed under the Common Seal of London Borough of Islington

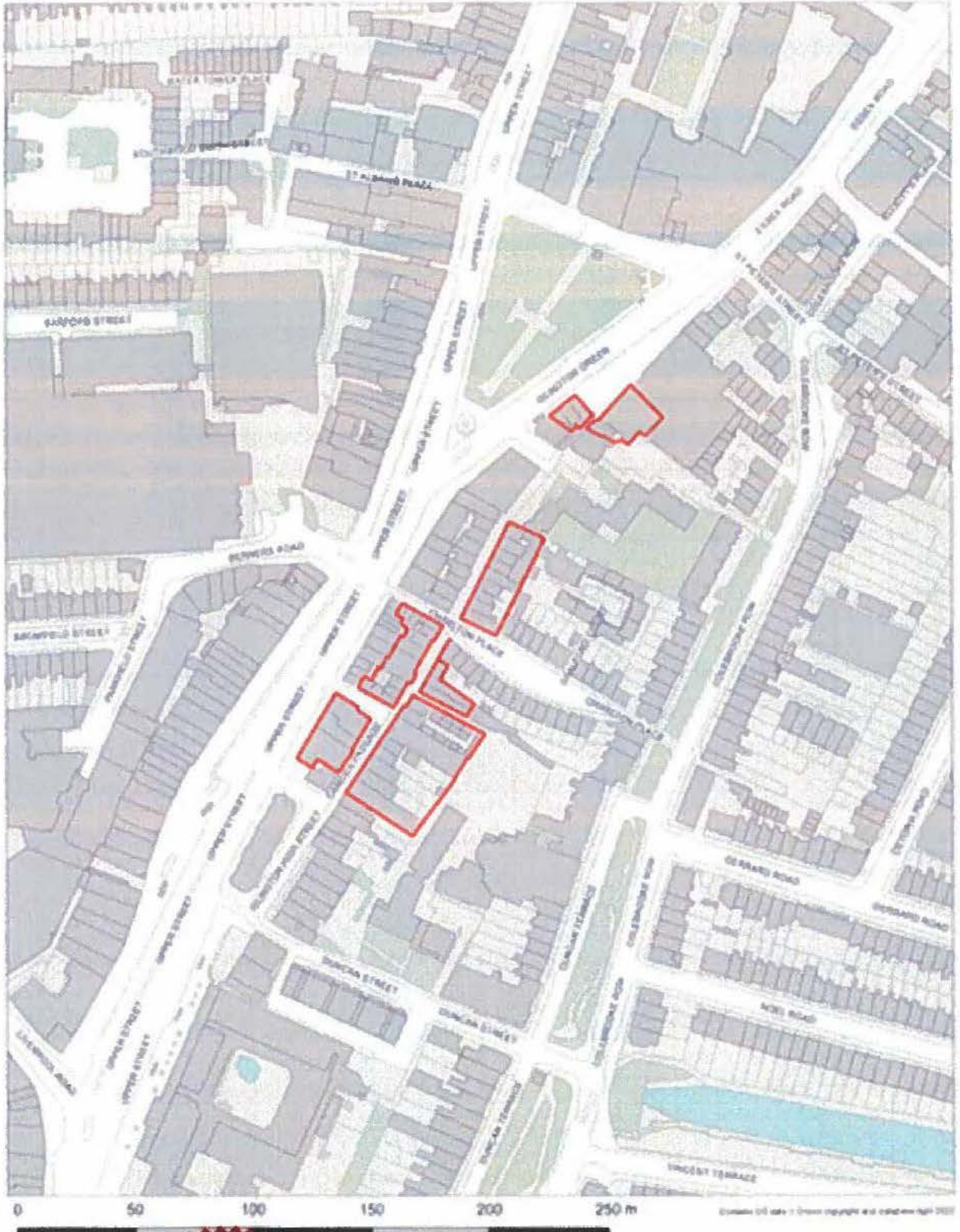
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London Borough of Islington Authorised Signatory

Second Schedule:



**LONDON BOROUGH OF ISLINGTON**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
(ENGLAND) ORDER 2015**

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and not being development comprised within any other class.

**SECOND SCHEDULE**

Land shown only shaded red on the attached plan and being the Fonthill Road Specialist Shopping Area.

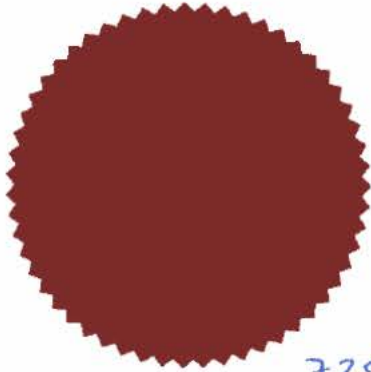
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.....  
[Redacted Signature]

London Borough of Islington Authorised Signatory



728747

Confirmed under the Common Seal of London Borough of Islington

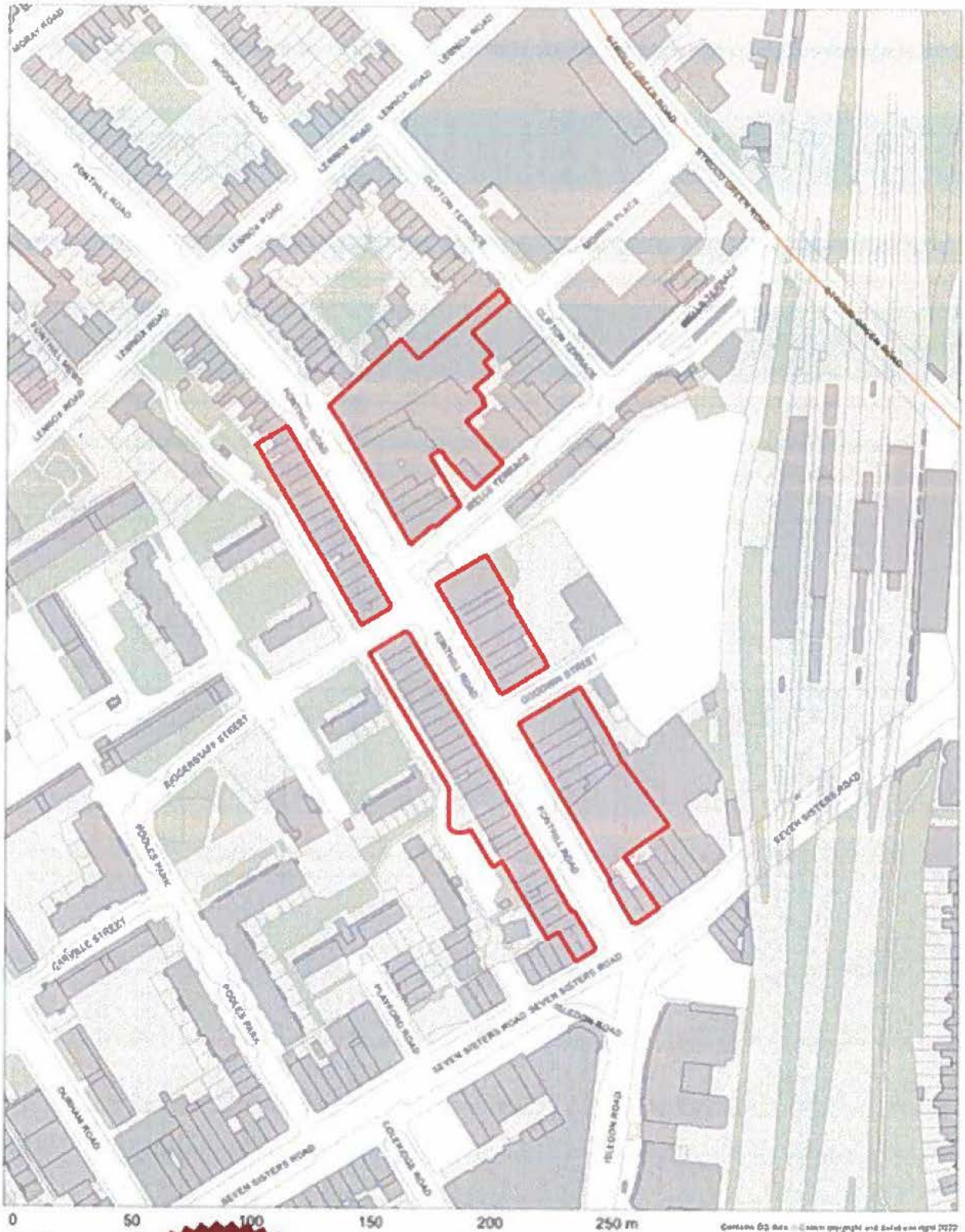
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# Appendix 2 – consultation responses

Ref	Consultee type	Summary of representation	Support/object	Council response
1	Individual	<p>To extend this unnecessary control on the flexible use of existing buildings will reduce the supply of needed housing.</p> <p>LBI should reverse its imposition on areas of the Borough and encourage flexible uses of existing buildings.</p>	Object	<p>The Article 4 Direction does not preclude the flexible use of buildings but requires proposals to be assessed against the Local Plan through the planning application process. Islington's Local Plan seeks to balance the provision of much needed housing with provision for retail and office needs and has identified sufficient housing supply to meet and exceed the boroughs housing target. Furthermore the proposed approach to Article 4 Directions is not a blanket approach meaning that the permitted development rights continue to apply outside of these areas. In many cases the conversion of buildings to residential leads to less efficient use of the site than redevelopment leading to less housing overall. The proposed article 4 areas are based on detailed and robust evidence and are considered to be justified.</p>
2	Individual	<p>Support LBI withdrawal of PD rights from these areas. Areas like Brecknock Road/ Camden Rd with independent shops and</p>	Support	<p>The Council notes the support for the Article 4 Direction. Streets outside of the CAZ such as Brecknock Road/ Camden Road will be assessed as part of tranche 2 of the Article 4 Direction.</p>

		businesses are also valuable especially with the cost-of-living crisis.		
3	Individual	<p>The office blocks identified are not comprehensive enough. A4D should include developments where planning approval for office space has been granted, even if building work is not complete.</p> <p>The deadline for coming into force of August 2023 is too distant. This gives every office block time to apply for residential use before the order becomes effective.</p> <p>Suspect that the Council will get a deluge of change of use applications in the next few months, as the economic climate worsens and demand for office space declines.</p>	Object	<p>The Council has powers to add conditions to decision notices to retain Class E as approved. NPPF and PPG state that A4Ds should be limited to situations where they are necessary to avoid wholly unacceptable adverse impacts, or to protect local amenity and / or the wellbeing of the area. The NPPF/ PPG also state that Directions should cover the smallest possible geographic area.</p> <p>The reason for the Article 4 Directions coming into force in August 2023 is that the council needs to follow a 'non-immediate procedure' under legislation to avoid being liable to pay compensation if prior approval is refused – this requires a years notice to be given.</p>
4	Business - Mortgage Advisor	<p>Why there are some buildings with red lines in "southwest CAZ" and some not? My block (B1 office) isn't identified for protection. Does that mean its exempt?</p> <p>Am I allowed to convert the office to residential before 31/8/23? Is your</p>	Neither	<p>Blocks outside the red line will not be included in the Direction Areas, should they be confirmed. Certain sites may be ineligible for Class MA due to listing, floor area etc.</p> <p>The Secretary of State has powers to amend the direction after it is confirmed by the Council.</p>

		<p>decision final? What if secretary of state overrules?</p> <p>I have had no tenant since October 2020 as pandemic has driven office workers out of London and We-work model means normal office rentals hard to fill.</p>		
5	Property Owner (Angel Gate)	<p>Concerns that evidence (ELS 2016, Employee Jobs by Lower Super Output Area 2020), not up to date and skewed due to Covid-19 pandemic/ lockdowns. Commercial agency should have undertaken report as evidence base for proposed A4D.</p> <p>Home working, hybrid working, flexible office workspace and caution among office occupiers reducing demand for average office space in secondary locations.</p> <p>Introducing residential to area with existing residential would not result in 'wholly unacceptable adverse impact'. Partial use of Angel Gate for residential would have little or no impact on amenity or well-being of area. An element of residential could make efficient use of vacant offices and help respond to the housing crisis. As an accessible location there would be minimal carbon footprint.</p>	Object	<p>The Council's evidence is based on a range of sources and is not solely based on those cited. It includes Local Plan research, census data, GLA studies, research published by planning consultants, a study on the potential impact of Class MA on the Borough prepared by UCL and a thorough site-by-site mapping exercise.</p> <p>This detailed, up-to-date and extensive evidence is listed in Appendix 1 and the signed Delegated Report.</p> <p>Sites and blocks are only included in the A4D where this is justified by robust evidence and meets the strict NPPF and PPG tests.</p> <p>The PPG advises that an A4D removing PD rights where prior approval powers are available to control permitted development should have particularly strong justification. In</p>

		<p>Long-term comprehensive redevelopment potential of the site would be prejudiced if in the A4D area. All commercial uses (Class E) surrounding the site (e.g. on Wakeley Street and former NCB site) should also be included to ensure they're not converted to residential and thereby create amenity expectation.</p>		<p>the case of buildings on nearby streets, prior approval applications in these locations would need to comply with the qualifying criteria and the prior approval conditions. For example some of the properties on Wakley Street are in Duncan Terrace/ Colebrook Row Conservation Area so the prior approval conditions provide an element of protection.</p>
	Natural England	No comment	Neither	Noted.
	GLA	<p>A4D will support recovery and safeguard future sustainability of CAZ and its nationally significant offices, retail, cultural and leisure activities. Will support its contribution to London economy and employment, and prosperity of UK as a whole. The Mayor strongly supports these targeted A4Ds which will help its vibrant mix of business clusters to flourish, including those in CAZ, town centres, specialist shopping and industrial areas and sustain their</p>	Support	The Council notes support for the Article 4 Direction.

		contribution to national, London and local economies.		
8	Theatres Trust	Concerned about potentially negative impact of this PD right on theatres, cultural and performance facilities if neighbouring buildings converted. Essential these venues are supported and the strategically important strength and diversity of London's cultural offer is not undermined. Also important the cultural needs of local people are met. Therefore, we welcome these A4Ds.	Support	The Council notes the support for the Article 4 Direction.
	Islington Society	Wholeheartedly support for these A4Ds. Our interest is encapsulated in Section 8, Para 8.5 of the report. "The broad range of Class E uses and social opportunities contributes to the amenity and quality of life of residents".  Welcome the intention to apply for a 2 <sup>nd</sup> tranche of Class MA A4Ds (para 8.11). Local shops, restaurants, businesses and cultural uses are essential to the well-being and amenity of residents, we would wish to see them protected. In response to Local Plan consultations, we stressed the need to retain and provide workspaces locally to provide local	Support	The Council notes support for the Article 4 Direction. The value different f Class E uses for quality of life of residents is recognised.

		<p>employment for residents. We wish to encourage a 'walk-to-work' approach, with workplaces within walking/ cycling distance of where people live.</p> <p>Local workplaces as a 'dispersed use' provide a valuable service to local communities. Retention of local pockets of Class E benefits community and stimulates local economic activity.</p>		
10	Angel.London	<p>In principle we support Council's plans to remove the Class MA Permitted Development Rights (PDR). Retaining and promoting the rich mix of retail, employment, dining and night-time uses supporting the vibrant business ecosystem aligns with the remit of the Angel BID.</p> <p>Map should include 31 - 47 Camden Passage to conform to the Camden Passage SSA designation map (Map 1) ensure its survival as a whole to maintain the integrity of the SSA.</p>	Support	<p>The Council notes support for the Article 4 Direction. Numbers 31-45 are listed so are ineligible for Class MA. No.47 is in the setting of listed buildings and also in Angel Conservation Area, so has an element of protection from Class MA.</p>

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Community Wealth Building  
7 Newington Barrow Way  
London N7 7EP

Report of: Executive Member for Environment, Air Quality and Transport

Meeting of: Executive

Date: 20 July 2023

Ward(s): All

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## Subject: Procurement strategy – 'RE:FIT' procurement framework for NZC (net zero carbon) projects for public buildings

### 1. Synopsis

- 1.1. The Council's Vision 2030 strategy has the objective of all council buildings being decarbonised by 2030. Delivery will require access to specialist technical and construction capability as well as a significant capital investment to eliminate gas heating systems and make council buildings more energy efficient.
- 1.2. This report seeks authority to undertake a mini-competition exercise using the RE:FIT framework to procure a contract with a suitably qualified contractor to deliver decarbonisation works to a range of council owned non-residential buildings, in accordance with Rule 2.8 of the Council's Procurement Rules.
- 1.3. The delivery of these decarbonisation projects will be dependent on the availability of future council and grant funding.

### 2. Recommendations

- 2.1. To approve this procurement strategy to use The National Framework for Energy Performance Contracting (RE:FIT) (Ref: 432507671) to appoint a contractor (via a mini competition) to carry out high-level appraisals, investment-grade proposals and

capital works to decarbonise council buildings for an initial period of 36 months with the option to extend the contract for up to a further 36 months. The estimated value of the contract over the 72 months (6 years) is up to £30.0m, subject to funding.

- 2.2. To delegate the decision to award a contract for an initial three-year period (with an optional extension of three years) to the Corporate Director of Community Wealth Building, following consultation with the Executive Member for Environment, Air Quality and Transport.

## 3. Background

### 3.1. Nature of the service

- 3.1.1. Buildings are the largest contributors to carbon emissions in Islington, accounting for 80% of total emissions in the borough according to the latest figures (2020). While the council has switched most of its electricity supplies to renewable energy tariffs, gas boilers in the council's non-residential buildings (including leisure centres) emitted around 3,800 tonnes of carbon in the last twelve months, with boilers in schools emitting around 2,800 tonnes.
- 3.1.2. The Vision 2030 strategy includes a commitment to begin replacing gas boilers in the council's non-residential buildings with electrical heating (heat pumps) or connections to heat networks, to improve energy efficiency through insulation and lighting replacements, and to carry out feasibility studies to assess how best to do this. Another commitment is to assess the suitability of these buildings for solar power and to install panels and battery storage where technically and financially feasible.
- 3.1.3. The Energy Services team and Corporate Landlord Service have identified a total of 199 non-residential council buildings (including schools) that may require retrofitting works to decarbonise and improve their energy efficiency. This number may increase or decrease slightly during the life of the contract for various reasons for example due to the delivery of other building refurbishment projects undertaken by the council, buildings being disposed of or new ones being acquired. The buildings identified are referred to in this report as the 'master list'.
- 3.1.4. The prioritisation of the buildings in the master list for retrofit works will be agreed by the two teams. The buildings will be split into manageable project groups of between 10-15 buildings per group.
- 3.1.5. Although the council has allocated some funding for decarbonisation feasibility studies and capital works, the size of the financial investment needed to achieve net zero carbon requires additional and significant external funding. The main source of external funding is currently the Public Sector Decarbonisation Scheme (PSDS), a central government funding stream to decarbonise public sector buildings. The council

has also used the Low Carbon Skills Fund (LCSF) scheme, which has funded high-level feasibility studies.

- 3.1.6. Past experience with the PSDS highlights three significant challenges with the scheme:
1. Difficulty providing all the technical information required for a PSDS application before detailed feasibility studies had been carried out (the high-level studies carried out with LCSF funding do not contain enough detail)
  2. The amount of time and resource required to make applications (the 15 applications for round 3b of PSDS took more than six months with five council officers' time working on average two days a week)
  3. Needing to deliver major capital projects within short timeframes (PSDS has hard spending deadlines of one or two financial years), which is extremely challenging with the timescales required by local authorities procurement processes. This can be particularly difficult with inevitable changes in scope between a high-level feasibility study (which are currently used for PSDS applications) and the detailed design produced after a contractor has been appointed.
- 3.1.7. This previous experience has shown that detailed designs are required prior to applications being made, that assistance is needed preparing funding applications, and that appointing a contractor for each individual building project is impractical and heavily impedes delivery. However, all of these issues are addressed by the The National Framework for Energy Performance Contracting (Referred to as the RE:FIT Framework).

### **The RE:FIT Framework**

- 3.1.8. The RE:FIT Framework was developed in 2009 as part of the Mayor of London's Energy for Londoners programme. The purpose of RE:FIT is to help local authorities retrofit their non-domestic buildings, taking into account the specific barriers they face in terms of long and complex procurement process as well as risk associated with investing in projects with long-term paybacks and no guaranteed savings.
- 3.1.9. RE:FIT has been designed to save time and resources for local authorities procuring retrofit works, while guaranteeing energy and cost savings through Energy Performance Contracts. To date, the RE:FIT framework has been used by 19 London public sector organisations to prepare the funding application for, and deliver the works associated with, PSDS-funded decarbonisation projects.
- 3.1.10. RE:FIT provides local authorities with an efficient approach to carrying out decarbonisation works by allowing them to procure an experienced contractor who will work with them through feasibility to detailed design and installation stages to ensure a seamless process, which includes performance guarantees (financial savings on

energy costs and carbon savings). The framework also provides local authorities using the framework with free technical support which is funded by the Greater London Authority (GLA) and the European Regional Development Fund (ERDF).

- 3.1.11. A contractor will be procured by the council using the framework agreement through a mini competition between pre-qualified suppliers on the framework. The contract will specify that the Council has identified a list of up to 199 buildings to decarbonise, which will be split into manageable groups of 10-15 buildings. Each group of buildings will be considered as a phase in the REFIT contract, with the Council only committing to paying for the IGP costs for the first phase (10-15 buildings), with potential for future phases of works to decarbonise the remaining buildings.
- 3.1.12. The successful contractor will be required to complete the following tasks for the first phase of works (first group of 10-15 buildings):
- 3.1.13. The contractor will first review each of the buildings in the group and provide a high-level energy appraisal at no financial cost to the council. This appraisal will set out the most suitable decarbonisation and energy efficiency measures for each site, together with an estimate of the retrofitting costs and achievable carbon savings. It is expected that a wide range of works, including the installation of heat pumps, double glazing/window replacements, fabric upgrades, and solar photovoltaic panels (PV) will be considered in these appraisals. The HLA process is an inherent and free-of-charge part of the scoping of the Energy Conservation Measures / ECMs (decarbonisation/energy reduction solutions) and are the basis of the Investment Grade Proposal (IGPs).
- 3.1.14. Following a review of these appraisals by the Council, the second stage will involve the contractor developing more detailed Investment Grade Proposals (IGPs) for each of the buildings in the first phase. The IGP outlines guaranteed financial and carbon savings associated with the agreed measures. These IGPs will include a detailed design of the retrofit measures proposed and will form the basis of applications to PSDS or similar funding schemes. This feature of RE:FIT is of particular interest to the council given the significant time and resources required to prepare funding applications, and the need for a detailed design. Having a contractor in place will allow the council to have the necessary information for PSDS (or similar) funding applications readily available for future rounds of funding.
- 3.1.15. If the council chooses to proceed with the capital works associated with the measures proposed in the IGPs, the contractor will deliver the agreed decarbonisation works to groups of buildings in rounds of retrofit works projects, dependent on the availability of funding. The council can choose to instruct the contractor to proceed with the capital works as and when funding is available, for example following a successful PSDS funding application. This is a crucial point as it will allow a prompt mobilisation to start the works as soon as the grant offer letter

is received, ensuring that the works can be completed in the short timeframes of central government funding, rather than having to start the procurement process from scratch.

- 3.1.16. The council will not be obliged to proceed with the installation of any of the measures identified during the high-level energy appraisals and investment grade proposals (IGP). The only potential cost to the council may be to develop the IGP and is likely to be between £0-5,000 per building. However, it is common that the contractors offer the IGPs for free as part of their bidding strategy in the mini-competition. Therefore, there is minimal financial risk associated with the use of this framework in terms of being tied into the capital costs proposed by the contractor.
- 3.1.17. If the contractor carries out decarbonisation works at a building and the promised savings set out in the IGP are not met, the contractor will be contractually bound to either provide additional retrofit measures to meet the savings they guaranteed or pay the difference. The energy performance contract guarantees a return on any council investment and Islington would retain 100% of the savings. The contractor is not owed any of the energy savings that they guarantee nor any surplus savings that exceed their guaranteed amount. During period of high inflation, the IGPs might include terms that the works contracts must be placed within a short time frame (e.g. 30 days for the IGP costs to be held, as opposed to typically 90 days during a low inflation market).
- 3.1.18. There will be potential for future phases of work in the contract for which the contractor will be required to complete the tasks listed above.

## 3.2. **Estimated value**

- 3.2.1. The council intends to procure a single contractor to complete the high-level surveys, Investment Grade Proposals and deliver the identified and agreed decarbonisation works. The contract will be for an initial period of 36 months with the option of contract extensions up to a further 36 months. This means the contract will be for a total period of up to 72 months (6 years). The total estimated value for the contract is up to £30.0m, subject to funding.
- 3.2.2. It is anticipated that the 199 non-residential buildings identified for decarbonisation work will undergo assessment and works in several phases in which up to 10-15 buildings would be considered per project, dependent on the availability of grant funding.
- 3.2.3. The cost of producing an IGP for a building can range from £0 to £5,000, depending on the size and complexity of the building. Contractors may offer to complete the IGPs for free as part of their bidding strategy. However, if they are

not free, the council will apply for Low Carbon Skills Fund grant funding (which funds feasibility work) or pay for them using the feasibility studies budget in the net zero programme budget. As part of the tender, the council will only be committing to get IGPs for the first group of 10-15 buildings, with the option for future phases of IGPs for the remaining buildings on the master list over time, dependent on securing further external decarbonisation funding.

- 3.2.4. The total costs of the capital decarbonisation works will only be known after the IGPs have been completed. The council is not obligated to proceed with the capital works detailed in the IGPs and can proceed as and when funding is available.
- 3.2.5. The decarbonisation works will be part funded through the council capital budget for retrofitting existing council buildings and schools. Given the value of committed Council funds, the completion of works will be dependent on securing significant additional external grant funding, such as PSDS or similar for which the council will apply.
- 3.2.6. The estimated potential value of the contract for years 1-3 is £14.959m, funded through the remaining capital budget for retrofitting council buildings (£2.583m), a forecast PSDS match grant funding for this remaining capital of £2.376m (based on previous applications) and an indicative estimate of £10m of potential additional spend should additional grant funding become available, based on a retrofit delivery programme of £5m per annum.
- 3.2.7. The forecast PSDS grant funding is a conservative estimate based on the ratio of PSDS funding received to council match funding for construction costs of projects to date excluding other associated costs (e.g.: contract administrator, contingency). The six successful PSDS applications have received an average of grant of 2.8 times the council match funding. However, two of those (Archway Leisure Centre and King Henry's Walk Care Home) were much higher than the others; discounting these outliers, the average ratio was 0.92.

Site	Total capital cost (construction)	PSDS grant	Council match funding (construction)	Ratio of match funding (construction)
Calshot care home	£549,775	£145,107	£404,668	0.36
Waste and Recycling Centre	£1,614,141	£951,831	£662,310	1.44
New River College	£361,500	£179,745	£181,755	0.99
Archway Leisure Centre	£2,244,249	£1,974,939	£269,310	7.33
Drayton Park school	£237,286	£110,171	£127,115	0.87

Site	Total capital cost (construction)	PSDS grant	Council match funding (construction)	Ratio of match funding (construction)
King Henry's Walk care home	£264,385	£225,945	£38,440	5.88
<b>Total</b>	<b>£5,271,336</b>	<b>£3,587,738</b>	<b>£1,683,598</b>	2.13
<b>Average</b>	-	-	-	<b>2.81</b>

Table 1: Previous successful PSDS applications: grant and match-funding amounts (construction costs only)

3.2.8. Subject to availability of additional funding, the total estimated contract value for years 1-6 is up to £29.959m, as summarised below

Budget source		Year 1-3	Year 4-6 (Indicative)	Year 1-6 Grand Total
Capital budget for retrofitting council buildings	Approved	£2.583m	-	£2.583m
PSDS grant funding (0.92 ratio)	Forecast	£2.376m	-	£2.376m
<b>Committed and match funding (Year 1)</b>	<b>Forecast</b>	<b>£4.959m</b>	-	<b>£4.959m</b>
Indicative programme spend if funding available	Forecast	£10.000m	£15.000m	£25.000m
<b>Total</b>		<b>£14.959m</b>	<b>£15.000m</b>	<b>£29.959m</b>

Table 2: Indicative budget for future decarbonisation works (construction costs only)

### 3.3. Timetable

3.3.1. Table 3 below shows the estimated timeline of this procurement project:

Procurement Strategy approved by Executive	13 July 2023
Tender Documentation Issued	August 2023
Tender return deadline	October 2023
Evaluation of Tenders	November 2023
Award of Contract	January 2024
Mobilisation Period	March 2024
Contract Start	April 2025
Completion of Phase 1 of the Project	IGPs for the first phase of buildings: June 2024

Table 3: Project timeline

### 3.4. Options appraisal

#### 3.4.1. Option 1: Do nothing

The council decides not to proceed with the tender under the Retrofit Accelerator Framework. This option is not recommended because of the issues with the current

situation, as set out in paragraph 3.1.6. This option does not align with the council's commitment to achieve net zero carbon by 2030.

#### 3.4.2. Option 2: Doing the works in-house

There needs to be specialists who have the knowledge and skills to complete both feasibility and decarbonisation works for different types of buildings and the capacity to carry out such works. The council does not have the ability or capacity to carry out these works itself, therefore, this is not the recommended option. The uncertainty of the funding regime would also increase financial risks for the council if directly employing a team of specialists and programmes of work may be delayed for periods of time.

#### 3.4.3. Option 3: Conduct our own tender exercise

A potential advantage of running our own tender process to secure a preferred contractor is that it could attract bids from contractors that are not on the RE:FIT framework. However, this process is not recommended for the following reasons:

- The tender process will take longer to complete. This will be incompatible with the short timeframe associated with central government grant funding schemes, and requires greater staff resources.
- Potential contractors may be less likely to participate in a tender process given the high level of uncertainty linked to the outcome of external funding bids.
- This approach does not offer the flexibility required to prepare high quality PSDS (or similar) funding applications in a constantly evolving government funding landscape.
- There is a high risk of a shortage of suppliers since all local authorities who submitted successful PSDS (or similar) funding applications will be looking for decarbonisation contractors at the same time.

Due to the reasons stated above, this option is not recommended.

#### 3.4.4. Option 4: Using the Retrofit Accelerator Framework (recommended)

The council goes ahead with the tender and holds a mini competition via the Retrofit Accelerator Framework. Unlike other framework agreements, the council will be able to benefit from the following through this framework:

- Free technical support is provided from project inception to project completion to ensure that guaranteed energy savings are achieved.
- The council will have the flexibility to specify their own evaluation criteria and percentage weightings.
- There are 16 suppliers (all energy services companies) on the framework that have all been approved and checked by the GLA and have experience delivering large scale retrofitting projects for other local authorities. The list of suppliers can be accessed at <https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/energy/low-carbon-accelerators/retrofit-accelerator-workplaces/trusted-suppliers>.



- The IGPs developed by the successful contractor will be used as the basis for future PSDS (or similar) funding applications, which require extensive technical information from a detailed design of the retrofit measures. The flexibility of the RE:FIT framework will allow the Council to have the technical information necessary for applying for PSDS funding readily available for each funding round, with the possibility of instructing the contractor to proceed with the capital works once the outcome of the PSDS application is known (typically 4 to 6 months after the submission of the applications), and only for the buildings that are successful.
- Similar to option 3, option 4 demonstrates value for money. However, the advantage of using the framework is the reduced officer time required to complete the procurement process. Awarding a single contractor for a large volume of work is also likely to deliver economies of scale, particularly through mobilisation costs, which would not be achieved via option 3.
- Having a contractor already in place when the council receives confirmation of grant funding, such as PSDS grant offer letters, will allow a prompt mobilisation and start to the works compared to starting procurement from scratch at the time of the grant outcome. This will mitigate risks associated with inflation cost increases compared to the time the IGP is developed, and will also ensure that the Council has secured a contractor in an extremely competitive environment where all local authorities will be seeking decarbonisation contractors at the same time.
- There is a “reserve bidder” feature within the RE:FIT Framework which allows the council to switch from the “preferred bidder” to the reserve bidder under specific conditions. The pros and cons to using the reserve bidder is detailed in Appendix 1.
- After careful consideration, it was determined that the reserve bidder feature did not provide significant benefits to the council compared to terminating the contract with the “preferred contractor” and rerunning a mini competition through the RE:FIT Framework. If the relationship with the contractor breaks down, the council will terminate the contract under clause 48 of the Call Off Contract and hold another mini competition through the RE:FIT Framework to appoint a new contractor (see section 3.7.3 and 3.7.4).

3.4.5. Other framework agreements were taken into consideration, but it was determined that the RE:FIT Framework was the most appropriate for these works, as:

- This framework has been identified as a quick and efficient route to market.
- The framework agreement is specifically designed and tailored for decarbonisation projects to meet the needs of public sector organisations.
- The scheme is recommended by other London local authorities who have successfully applied for PSDS funding and delivered decarbonisation works on their local buildings to help meet their climate change goals. To date, 19 London public bodies have used the RE:FIT framework since 2009.

### 3.5. Key considerations

- 3.5.1. Islington Council is committed to shaping and promoting a local economy that is underpinned by the principles of equality and fairness, economic, environmental, and social justice. This builds on work undertaken in response to the Islington Fairness Commission and is part of Islington Council's overarching vision of working towards a fairer Islington.
- 3.5.2. Social value will be a requirement of this contract. The framework agreement allows scope for social values and monitoring/compliance obligations to be incorporated into the specific project requirement and tailored to our requirements. The tender documents will detail a 2 tier social value requirement comprising of a 'Required Social Value' that the appointed contractor must meet and an 'Additional Social Value' that the contractor will be assessed for specifically during the tender exercise/mini-competition stage. A comprehensive description of the required and additional social values can be seen in "REFIT social values" – see Appendix 2.
- 3.5.3. The Council is committed to supporting young people through providing apprenticeship opportunities and is keen to see this also reflected through its contractors.
- 3.5.4. The Council will also seek practical steps to provide opportunities for long-term unemployed individuals who are not in education, employment or training (NEET). A requirement of this contract is that all entry-level posts will be advertised through the council's job portal with the support of the iWork team, where around 400 skilled local job seekers are registered and ready to start work.
- 3.5.5. In addition to increased employment for local people, the Council would like to see practical steps taken to reach out to and employ people from disadvantaged backgrounds, such as young people, particularly those with low or no qualifications, who face significant barriers to a very challenging labour market, and Black, Asian and Minority Ethnic populations who research shows have been disproportionately impacted by the COVID-19 pandemic.
- 3.5.6. Payment of London Living Wage for all staff and operatives working on the delivery of projects under this contract will be a requirement of the contract.
- 3.5.7. The project will have a positive sustainability benefit by cutting carbon emissions from the buildings in scope by reducing the use of gas boilers and an economic benefit to the council by reducing energy consumption at a time of rapidly increasing energy costs. See the Environmental Implications section (4.3) for more detail.
- 3.5.8. There are no TUPE, pension or staffing implications with this project.

### 3.6. Evaluation

- 3.6.1. The tender will be conducted through a mini competition open to all contractors on the RE:FIT framework agreement. The mini-competition will be run with the support of external consultants and conducted in compliance with Section 4 of the framework agreement and the mini competition procedure set out in Schedule 7 of the framework.
- 3.6.2. The council will issue Invitation to Tender (ITT) documentation including the project brief and a draft contract to all contractors on the framework, inviting them each to submit a Tender Response (for the time limit specified in the ITT).
- 3.6.3. Tenders will be evaluated on the basis of the tenderer's price and ability to deliver the contract works (as set out in the following award criteria) in order to achieve the best value for money for the council, as well as ability to deliver the works within the timeframe set out by the PSDS grant.
- 3.6.4. It is proposed that tenders are evaluated on the basis of 40% cost and 60% quality (which includes the 20% social value). The detailed breakdown of the quality criteria is set out below:

Criteria	Description	Weight [%]
Cost	Cheapest sustainable bid achieves the highest score, all other bids get a pro-rata score	40%
Quality	Overall	60%
Quality will further be broken down into:		
Quality	Proposed approach to delivery of: <ul style="list-style-type: none"> <li>- High Level Energy Appraisals</li> <li>- Investment Grade Proposals</li> <li>- Decarbonisation Works</li> </ul>	15%
Quality	Proposed approach to Health and Safety	5%
Quality	Proposed approach to ensuring suitable resources are in place to deliver the contract	10%
Quality	Proposed approach to working in occupied buildings and in conjunction with other projects on site	5%
Quality	Proposed approach to quality (including environmental sustainability) and contract management	5%
Quality	Proposed approach to social value	20%

### 3.7. **Business risks**

- 3.7.1. Starting the procurement process early, writing specifications and other procurement documents will be important in mitigating the risk in relation to the timeline in table 2 in section 3.3 above.
- 3.7.2. To mitigate potential risks to the council, the council will put in place safeguarding measures to ensure the projects progress as specified in the contract with minimal adverse impact and disruption to building users. The Energy Services team will carry out independent internal and external audits by appointing third party specialist consultants through a separate procurement exercise, who will carry out cost and quality reviews throughout the project's duration to ensure that the projects provide value for the council over the long term. These third party services include a Quantity Surveyor, a Contract Administrator and a Technical Assurance expert. The contract administrator will liaise with internal and external stakeholders during the delivery of projects to ensure they are kept informed of progress and work with them to resolve issues that may arise.
- 3.7.3. There is a risk that a contractor chosen through the procurement exercise could pull out prior to the signing of the contract. Should this occur alternative suitable contractors will be sought from the framework agreement. The chosen contractor could attempt to pull out of the contract after it has been signed. Should this situation occur, the council's legal department will consider contractual options. An alternative contractor would be sought to deliver the project.
- 3.7.4. The Council only commits to the costs of the IGPs of the first phase of works (first group of 10-15 buildings), which may be free. The council is not obliged to go ahead with the works through the appointed contractor even when an IGP has been produced. There are sufficient funds from the feasibility studies budget to cover the costs of the IGPs of the first phase of works should the IGPs not be offered for free.
- 3.7.5. The capacity of the contractor will be a main requirement of the tender documentation as it is critical that they have the appropriate resources, whether internal or through established sub-contractors, in place to be able to deliver all potential decarbonisation works.
- 3.7.6. Under the Call Off Contract (clause 48), the council has the right to terminate the contract with the appointed contractor at any time for any reason with 90 days' written notice. Therefore, there is no significant risk to the council being tied to a contractor for a long period. In the event the council decides to terminate the contract, the council would simply hold another mini competition under the same framework.

3.7.7. In the case that another mini competition is held, as the RE:FIT Framework would already have received authorisation to be used from the Executive. Awarding a new contract to a new contractor from the same framework would be a delegated decision for the Corporate Director of Community Wealth Building.

3.7.8. The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

3.7.9. The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.8 of the Procurement Rules:

Relevant information	Information/section in report
1. Nature of the service	<p>The council intends to use the RE:FIT framework agreement to procure a contractor pursuant of the framework to complete decarbonisation works for a mix of public buildings.</p> <p>The procurement of these works is crucial in order to reduce carbon emissions from Islington buildings. These works will help in achieving our Vision 2030 goal of becoming net zero by 2030.</p> <p>See section 3.1</p>
2. Estimated value	<p>The potential value of the procurement over Years 1 to 6 is £29.959m.</p> <p>See section 3.2 for the detailed breakdown.</p>
3. Timetable	<p>The indicative timetable is set out within the body of the report. See section 3.3</p>
4. Options appraisal for tender procedure including consideration of collaboration opportunities	<p>After careful consideration of the options available to the council, option 4 is the recommended option.</p> <p>See section 3.4</p>
5. Consideration of: <ul style="list-style-type: none"> <li>• Social benefit clauses;</li> <li>• London Living Wage;</li> <li>• Best value;</li> <li>• TUPE, pensions and other staffing implications</li> </ul>	<p>These are set out in the body of the report.</p> <p>See section 3.5</p>
6. Award criteria	<p>These are set out in the body of the report.</p>

	See section 3.6
7. Any business risks associated with entering the contract	These are set out in the body of the report. See section 3.7
8. Any other relevant financial, legal or other considerations.	See section 4

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. In March 2022, the Council approved £5.5m of funding for retrofitting existing council buildings which included £1m each for LED lighting and Solar PV respectively and to date there is now £2.583m remaining. Based on previous applications the Council could expect to secure up to £2.376m Public Sector Decarbonisation Scheme funding in the next three years to 2025/26 but it is a competitive bidding process. Combined with an indicative estimate of £10m of potential additional spend should other funding become available the value of the framework in Years 1 to 3 could be in the region of c. £14.959m.
- 4.1.2. Based on an indicative estimate of a capital programme of £5m per annum (subject to availability of future funding) the potential value of the procurement in Years 4 to 6 could be in the region of c. £15.0m.
- 4.1.3. Combined, the estimated value of the contract across Years 1 to 6 is up to £30.0m, subject to funding. The programme will be closely monitored to ensure that projects only proceed when there is sufficient council and grant funding available.
- 4.1.4. Investment Grade Proposals (IGPs) are anticipated to cost £0-5,000 and evidence from other local authorities is some IGPs will be provided free of charge. However the Council has an approved Carbon Offset Fund allocation of £0.225m which could be utilised to pay for IGPs as required. The Council also intends to apply for Low Carbon Skills Grant funding to support IGPs and has been successful in previous rounds.

### 4.2. Legal Implications

- 4.2.1 The Council, along with a number of other local authorities, has committed to achieving net zero carbon by 2030. The measures that may be implemented by the contract proposed in this report will assist the Council in achieving that target.

- 4.2.2 The proposal is to enter into a call-off contract from the National Framework for Energy Performance Contracting (RE:FIT) (“the Framework”). The contract would be for an initial period of 36 months with the ability to extend for up to a further 36 months. The total estimated value of the contract over the possible 6 year period is £30.0m, subject to funding.
- 4.2.3 The value of the proposed contract is significantly above the threshold at which the Public Contracts Regulations 2015 (as amended) (“the Regulations”) applies to the procurement of works contracts. As such, the Council are required to comply not only with the Council’s Procurement Rules (“the Rules”) but also the full rigours of the Regulations.
- 4.2.4 The Framework has been procured by an approved purchasing body in accordance with the Regulations and is open for use by the Council. As such, whilst the value of the proposed contract exceeds the financial threshold in table 1 of the Rules, by virtue of Rule 3.1 the procedure for procurement of the contract as set out in the Framework prevails over that set out in the Rules.
- 4.2.5 The Framework commenced on 24 April 2020 and is due to continue for 4 years from that date. Public authorities are permitted to place call-off contracts at any time prior to the expiration of the Framework and such call-off contracts may continue beyond the end of the Framework and for such period as considered reasonable given the scope of the works included within them. Consequently, the Council are permitted to procure the call-off contract for a period of up to 6 years as proposed.
- 4.2.6 As detailed in this report, the tendering approach permitted under the Framework is flexible and the Council is permitted to adjust the questions, evaluation scoring and evaluation weighting as required for a particular project provided these remain within the scope of the Framework and are permitted under the Regulations. Once the mini-competition has concluded, the terms of the Framework require the contract to be awarded based on the Most Economically Advantageous Tender (“MEAT”). The procurement process detailed in this report complies with the requirements of the Framework.
- 4.2.7 As the proposed contract will directly impact or change the fabric of corporate buildings, Rule 2.6.2 of the Rules will apply and the prior agreement of the Director of Corporate Landlord (or their representative) must be obtained in addition to relevant permissions such as building control or planning.
- 4.2.8 As the proposed value of the call-off contract exceeds £500,000 the decision as to the award of the contract lies with the Executive (Rule 18.1.4). However, as set out in Rule 16.2 of the Rules, the Executive may delegate its responsibilities to

Corporate Directors or the Chief Finance Officer. As such, it is possible to approve Recommendation 2.2.

- 4.2.9 Procurement Rule 24.2 states that all contracts over £24,999 will need formal conditions prepared or agreed by the Legal Services Team. In this instance, to proceed with the contract award the Council will need to enter into the call-off contract prescribed as part of the Framework. The terms of the call-off contract can be amended to suit the specific requirements of the Council and to comply with the requirements as set out in the Rules. Following award, the contract and details of the award must be published on Contracts Finder. All contracts with a value above £500,000 will need to be sealed.
- 4.2.10 The Local Government Act 1999 requires the Council to make arrangements to achieve Best Value in the exercise of its functions when considering service provision.
- 4.2.11 The Council has power to enter into the contract under section 111 of the Local Government Act 1972 and section 1 of the Local Government (Contracts) Act 1997 which enable the Council to carry out any activity that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, and to enter contracts accordingly.
- 4.2.12 The decision maker can approve the Recommendations contained in this report provided they are satisfied with the contents of the report and they consider the proposed procurement represents best value for the Council.

#### 4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 4.3.1. The main purpose of the works to be procured through the RE:FIT framework is to decarbonise council buildings, which is a key element of the council delivering net zero carbon. However, the delivery of the measures will have some environmental impacts during their implementation. These include material and energy use and the generation of construction waste (including the requirement to remove and dispose of earth soil extracted to put in pipework). There is also potential for some nuisance issues such as noise to neighbouring properties during construction. There will also be some travel-related impacts by the suppliers. Mitigation actions will be in place where possible to reduce these impacts. There are no other implications to the environment as wildlife will not be affected by the works.

#### 4.4. **Equalities Impact Assessment**

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant



protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

- 4.4.2. An Equalities Impact Assessment was completed on 17 March 2023. This document will be updated regularly during the project, especially as the total impact of the works for each building cannot be determined until IGPs have been completed, in which the required decarbonisation works for each building will be defined.
- 4.4.3. At this stage, the main findings of the Equalities Impact Assessment are that the decarbonisation measures should overall provide increased thermal comfort to building users, and that the retrofit works will have to be planned carefully to ensure minimal disruption to building users. The premises managers of the buildings under consideration will be consulted to understand their energy needs and requirements, and the appointed contractor will conduct high-level energy appraisals to evaluate the current decarbonisation/energy status of the buildings to determine which energy-saving measures are required for each building. Based on this information, and if the Council is satisfied with the investment grade proposals, the retrofitting works will be scheduled, and the contractor will be informed of the specification and site management to ensure that the work is completed with minimal disruption. Discussions will also be held with premises managers about the construction operation and how works can be carried to minimise disruption to the building users and residents/visitors near the site. If necessary, engagement with local disability action groups and older people will be considered closer to the construction period. Noisy works will only take place between a certain time during the day and will be defined in the terms and conditions of the contract specification. There will be clear communications to building users and local communities around the affected area prior to the works through the means of flyers, letters and emails.
- 4.4.4. The full Equalities Impact Assessment is appended.

## 5. Conclusion and reasons for recommendations

- 5.1. It is recommended that the RE:FIT framework agreement is used to procure a contractor to undertake feasibility studies and decarbonisation works for council buildings and schools in Islington. This will enable the council to appoint a contractor that possesses the relevant skills and expertise required to successfully deliver the decarbonisation projects needed to meet the council's 2030 net zero carbon target, subject to funding.

**Appendices:**

1. REFIT programme “reserve bidder” option appraisal
2. REFIT social values
3. Full Equalities Impact Assessment

**Final report clearance:**

Approved by:

Executive Member for Environment, Air Quality and Transport

Date: 6.7.23

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# RE:FIT “reserve bidder” feature

## Option appraisal

### Background

There is a “reserve bidder” feature within the RE: FIT Framework which allows the council to switch from the “preferred bidder” to the reserve bidder under specific conditions. The pros and cons to using the reserve bidder is detailed in the following table.

### The pros and cons of using the Reserve Bidder feature

Pros	Cons
Option to switch to the reserve bidder if unsatisfied with the contractor.	<p>Requires careful drafting of the ITT document on the terms and conditions of moving to a reserve bidder as the move to the reserve bidder is time limited.</p> <p>It requires two contracts to be awarded, one to the preferred bidder and the other to the reserve bidder, requiring more work on defining the terms and conditions (timescales, decision points, minimum requirements, etc).</p>
The appointed contractor is aware that a reserve bidder is in place. This can be advantageous to the council as the contractor will exercise greater caution when dealing with the council.	Since the move to the reserved bidder is time-limited we may not be able to switch to the reserve bidder after a certain time
	May receive fewer bids
	Requires careful drafting of the ITT document on the terms and conditions of moving to a reserve bidder as the

Pros	Cons
	move to the reserve bidder is time limited.
	The preferred bidder may challenge grounds under which the preferred bidder status has been removed (legal dispute)
	There is no change in the solution offered by the reserve bidder, and no opportunity to include lessons learnt into a new mini competition
	Might need to pay an annual fee to retain interest of the reserve bidder over time

## Recommendation

After careful consideration it was determined that the reserve bidder feature did not provide significant benefits to the council compared to terminating the contract with the “preferred contractor” and rerunning a mini competition through the RE:FIT Framework. If the relationship with the contractor breaks down, the council will terminate the contract under Clause 48 of the Call Off Contract and hold another mini competition through the RE: FIT Framework to appoint a new contractor (see section 3.7.3 and 3.7.4 of the main body of the REFIT procurement strategy report).

## RE:FIT Social Values

### Required Social Value Investment

#### 1.0 EMPLOYMENT

##### ***Apprenticeships and/or 'improver' route employment***

This is direct employment with the successful RE:FIT contractor or their supply-chain partners on any given works package.

Residents would be sourced using the iWork recruitment service, - contact [Pascal.coyne@islington.gov.uk](mailto:Pascal.coyne@islington.gov.uk).

The trainee is paid at the London Living Wage (LLW) and will participate in a scheduled and prescribed qualification pathway pertaining to the trade specific retrofit measure/s.

For example-solar panel fitting (PV)-this would be scheduled across the 3 years of stage 1 of the contract, with the job hours identified from the plan of works. The 'units' involved will be clearly identified, timed and committed to be delivered.

The qualification in this context is the **BPEC Level 3 Award in the Installation and Maintenance of Solar Thermal Hot Water Systems** (Qualification Number 600/6608/8) though this is the priority.

As mentioned a 'bolt-on' qualifications for existing, roofers or level 2 electricians, may be more appropriate in particular & given circumstance.

What would not change is the requirement to provide the employment & training opportunity.

The same principle would apply to all other relevant/related works measures being installed in Schools, Libraries and Offices, such as (non-exhaustive)

- General Building fabric upgrades
- Boiler Insulation
- Fenestration (double glazing/window replacements)
- Heat pumps (Ground/Air source)
- Combined/Shared Heat source

The above Apprenticeship or Improver job role requirement is calculated at 1 full term per every £2million of contract value.

#### 2.0 TRAINING

##### ***Invest Grade Proposals (IGP's)***

Running concurrently and threaded within the IGP assessment, the social value proposal is to give candidates an in-depth experience of working along-side an industry expert to learn & understand the main component parts of the IGP's.

This curriculum & experience tasks could be co-authored by the provider and relevant council department.

Residents would be sourced using the iWork recruitment service- first point of contact would be [pascal.coyne@islington.gov.uk](mailto:pascal.coyne@islington.gov.uk)

The purpose of this is to offer an opportunity that otherwise would not happen and for the resident/s to gain confidence, knowledge, and inspiration to go into a career in the carbon reduction/net zero industry, Typical progression is into in areas such as, Retro-Fit advice/Assessing and/or coordinating.

The Department of Energy and Climate Change report 2015 "Guide to Energy Performance Contracting Best Practices" indicate that:

*“The IGP process involves a thorough survey of your buildings and normally takes around 40-60 working days, although this could be higher for large portfolios”* which, lends the proposed process a favourable timeframe.

Exact hours and engagement details may be calculated according to the specific portfolio and the trainee would be paid minimum wage, by the contractor, to support their travel and subsistence during the learning & career development experience.

The onsite and desk-based learning experience to include for example:

- Detailed key information including the Energy Conservation Measures (ECMs) to be installed.
- The guaranteed energy savings formula/s.
- Tonnes of CO<sub>2</sub> to be saved each year (and how this is calculated)
- Capital costs (and what this mean/they are).
- Maximum payback period (what this is and why it is important).
- Measurement and verification (M&V) plan.
- How and when the ESCO proposes to install the identified ECMs

### **3.0 LEARNING LABS**

We firmly believe that education is a crucial tool in promoting sustainable practices, and this is particularly true when it comes to retrofitting. As such, we propose using identified schools as full-fledged learning labs to showcase the benefits of retrofitting and promote interest in green-related jobs among pupils.

Through our learning labs, we expect to create a hands-on and engaging educational experience that highlights the positive impacts of retrofitting. By demonstrating how retrofitting can improve building performance, reduce CO<sub>2</sub> emissions, and promote human health and well-being, we hope to inspire and educate the next generation of environmental leaders.

We believe that creating opportunities for pupils to engage with retrofitting and other sustainable practices at an early age is crucial for fostering long-term behaviour change. By increasing interest in green-related jobs, we hope to contribute to a more sustainable and equitable society while also supporting the growth of the green economy. These work would be coordinated via the councils World of Work programme.

Our commitment to educating the younger generation aligns with our broader commitment to creating positive, long-lasting impacts in the communities we serve.

To achieve this we suggest:

- The contractor required to conduct retrofitting demonstrations in identified schools to showcase the benefits of retrofitting. These demonstrations can include practical examples such as installing energy-efficient lighting or insulation, and allowing pupils to see the impact of retrofitting on energy consumption and cost savings.
- The contractor required to engage pupils in retrofitting projects, such as conducting energy audits of school buildings or participating in energy-saving initiatives. These projects will provide pupils with hands-on experience in retrofitting and help them develop critical thinking and problem-solving skills.
- The contractor required to provide career guidance to pupils by highlighting the various green-related job opportunities available in the retrofitting industry. This can

include information about the required qualifications and skills needed for different roles, and advice on career paths and opportunities for career progression.

- In order to ensure that the identified schools can serve as effective learning labs, we believe that it is essential for the contractor to collaborate closely with school administrators and teachers. To this end, we require that the contractor provide comprehensive training and resources to teachers, equipping them with the knowledge and skills necessary to explain the benefits of retrofitting and building performance to pupils in a clear and engaging way. This could include providing teachers with access to educational materials, training sessions, and ongoing support from retrofitting experts. By working closely with school administrators and teachers in this way, we can ensure that our learning labs are effective and impactful, and that pupils have the best possible chance of developing a deep understanding of the importance of sustainable practices in building design and construction.

#### **4.0 NET ZERO CARBON AND CIRCULAR ECONOMY**

To achieve the council's Vision 2030, there are mandatory requirements that the contractor must deliver to support delivery of a Net Zero borough by 2030. Resultingly, we require the following:

- A commitment to measure and disclose accurate data on Scope 1, 2 and 3 carbon emissions on a bi-annual basis
- A commitment to carbon emissions savings to help the council achieve net zero by or before 2030
- A demonstration of a year-on-year plan that is aligned to climate science, evidencing how carbon emissions will be reduced to help us deliver Vision 2030
- A demonstration of Scope 1, 2 and 3 carbon emissions savings within the contract, which is achieved through decarbonisation against a specific benchmark, for example reducing carbon intensive processes and operations, and specifying how these will be achieved
- All motor vehicles deployed in the performance of this contract are compliant with Euro 6 (or later) and fulfil the emissions requirements of ULEZ and shall provide evidence of compliance on request
- A demonstration of a plan to reduce transport emissions
- A commitment to adopting circular business practices and shall provide evidence on how this will be achieved (measured in tonnes of waste and the percentage sent for reuse, recycling, composting and residual disposal) Including, but not limited to:
  - Reducing waste through reuse of products and materials
  - Reduction in single use plastic specifically
  - Utilising recycled or existing materials
  - Repurposing items and materials for reuse
  - 'Upcycling' building materials
  - Use construction and demolition waste as alternative aggregates
  - Reusing/recycling excess materials
  - Where materials cannot be reused, evidencing how these stay within the supply chain, for example, passing on to another business or use
  - Composting materials

- Only use sustainably sourced materials and shall provide evidence of use. For example, but not limited to:
  - 100% recycling paper
  - Sustainably certified cleaning products
  - FSC-certified timber
  - Recycled plastic

### Additional Social Value contribution (above and beyond contract value)

#### **5.0 YOUTH & SCHOOLS**

- We would expect to see at least 4 green sector career talks per year via the World of Work programme with LBI -providing guidance on which schools would most benefit from the opportunity and the sector more widely. This will be via the council's, 'World of Work' Project.
- We would expect to have provided at least 2 green sector career activities per year for young people aged 16-25 that are not in employment, education or training. These would be coordinated by the youth progression service and delivered from the youth employment hubs in Caledonian and Finsbury Park wards.
- We would expect to see at least 2 green sector work experience placements offered per year to Y10 students – or NEET young people should the opportunities not be suitable for school aged pupils. The council's youth team will make the appropriate introductions to take all this forward.

#### **6.0 EMPLOYMENT (GENERAL)**

We recognise that the contract is often quite specialist in terms of the measures involved however we are still keen to see hands-on work experience and some local labour being delivered as part of this contract. The contractor will be required to work closely with the council's iWork construction employment team to identify and recruit residents to any labouring or even light technical roles that may arise as a result of this contract. Similarly, we expect to work with the contractor to carve out hands-on work experience -either short term unpaid -or longer-term paid.

All employment on this contact is subject to the minimum of the London Living Wage for any given financial year. All entry level or training opportunities to be recruited using the iWork service and all other vacancies to be advertised on the council's employment portal in partnership with the Islington Working portal (iWork) for business team.

We are committed to ensuring that the benefits of this contract extend beyond the immediate scope of the project and positively impact our community, local businesses, and residents in the long term. We believe that creating pathways for them to participate in future retrofit works for non-council building stock is crucial to achieving this goal. To facilitate this, we are requesting that the contractor provide us with a detailed plan to increase the number of organisations or individuals with MCS certificates. We also ask that the contractor prioritise offering job opportunities to recently graduated individuals from MCS certified courses. By doing so, we can create a talent pipeline that is not only well-equipped to handle the challenges of retrofitting but also has a vested interest in the success of our community and



its sustainable future. In addition to providing job opportunities and training to our local workforce, it will help to saturate the market, reducing prices and waiting lists for retrofitting services. By making sustainable building practices more accessible and affordable, we can ensure that all members of our community can participate in creating a greener, healthier future. Overall, we see this as an opportunity to not only complete the immediate retrofitting project but also create lasting change in our community.

In addition to the above, we would like to see a comprehensive upskilling plan for our Council staff that will equip them with retrofit experience and enhance their existing skills in areas such as plumbing, electrical, roofing, HVAC, engineering, energy auditing, insulation installation, building surveying, fenestration installation, flooring, plastering, and other related works. The plan will be phased and involve partial participation of Council staff as part of their learning and education exercise within the retrofitting projects.

Our goal is to ensure that Council staff are competent in retrofitting practices, equipped with the latest knowledge and techniques, and able to provide quality services to our community. The upskilling program will be designed to meet the needs of individual staff members, with a focus on building their capacity in areas where they require improvement. The program will include both theoretical and practical training, with opportunities for hands-on experience in retrofitting projects.

## **7.0 SUPPLY CHAIN / BUSINESS SUPPORT**

The council has a local procurement initiative with a dedicated officer, and a recently revived local construction directory of goods and suppliers, that is underpinned by a Progressive Procurement strategy of robust ambition which states:

“The council is a major economic player in the borough. About half of our spending is on commissioned goods and services. We want to make sure that we use this spending power to achieve the best impact for local people, especially the most disadvantaged. We also want to encourage other key partners in the borough – anchor institutions and providers who share our values - to do the same so that we can use our collective buying power to influence supply chains and maximize benefits for Islington residents, communities and local businesses. This means taking proactive measures to ensure that as much as possible is spent within Islington, and that the Council’s purchasing decisions, and those of like-minded partners, support Islington people through creating employment, skills training and other opportunities. We also want to support and enable Islington businesses, particularly small businesses and Voluntary, Community and Social Enterprises (VCSEs), to successfully tender for council contracts.”

This directory has been developed to serve as a user-friendly portal for contractors to find relevant suppliers to help meet local procurement and other social value commitments, so we would wish to see the successful contractor to engage with our local procurement officer who acts as the ‘gatekeeper’ for the local directory, and reflect the aspirations of our progressive procurement by working towards a target of 10% of goods and services to be procured locally.

We would also warmly encourage expertise and mentoring support for local businesses, including relevant early-stage companies that are being supported by the council to build a

net positive future, and those seeking PAS2035 and similar accreditations. We would also like the contractor to attend our occasional 'meet the buyer' events and provide any other professional support that the contractor may be able to offer not listed here.

Furthermore, we would like the contractor to commit to using local catering from cafes and restaurants/caterers rather than onsite catering brought in from outside of the borough. We would like the contractor to promote and encourage their workforce to support the local economy through shop local and loyalty schemes.

### **8.0 TRAINING (GENERAL)**

The council have a classroom venue based on the redevelopment site of the former Holloway Women's prison site in N7 of the borough. We would encourage the contractor and their supply-chain to commit hours to attend the site and give green industry specific talks to our students and residents on the method and functionality of PV heat pumps etc. This will be informal however the intention is to inspire the next generation of workers and to encourage those thinking about entering the Net Zero contraction sector to begin their career path. These career path and inspiration sessions will be coordinated by the internal LBI iWork construction team in partnership with the provider/s. The frequency of such offers is reflected in the overall 20% assessment towards the contract under the social value heading as will detailed narrative around the potential content of the sessions (the class accommodates 12 participants at a time).

### **9.0 NET ZERO CARBON AND CIRCULAR ECONOMY**

In addition to our mandatory requirements, we have several additional social value activities that contractors can deliver. Whilst these are not mandatory, we highly encourage our contractors to engage in these activities to further support us in delivering Vision 2030.

- 1) Provide internal support to MSMEs and VCSEs within the supply chain to adopt Circular Economy solutions - business case and leadership for circular economy
- 2) Hard to recycle waste diverted from landfill or incineration through specific recycling partnerships or activities
- 3) Fleet emissions monitoring programme on the contract, including data collection (miles, type of vehicle, engine type, emission standard)
- 4) Join the Islington Sustainability Network for local businesses and active contribution to the network
- 5) Contribution to Library of Things pilot in the Cally area - equipping with some tools/machinery or assisting with revenue costs of this sharing economy initiative

# Equalities Impact Assessment: Full Assessment

Before completing this form you should have completed an Equalities Screening Tool and had sign off from your Head of Service and the Fairness and Equality Team.

This Equality Impact Assessment should be completed where the Screening Tool identifies a potentially negative impact on one or more specific groups but it can also be used to highlight positive impacts.

## Summary of proposal

Name of proposal	'RE:FIT' procurement framework for NZC (net zero carbon) projects for public buildings
Reference number (if applicable)	
Service Area	Environment – Climate Change and Transport
Date assessment completed	14/03/2023

Before completing the EQIA please read the guidance and FAQs. For further help and advice please contact [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk).

# 1. Please provide a summary of the proposal.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

The aim of this project is to decarbonise Islington's buildings to reduce carbon emissions in the borough, which currently account to 84% all emissions in the borough (Islington Vision 2030). To decarbonise the public buildings retrofit works will be proposed on a mixture of buildings such as libraries, schools, offices, leisure centres etc. Retrofit works consist of fitting new systems designed for high energy efficiency and low energy consumptions to buildings previously built without them, examples of retrofit fit works include installing double glazing, replacing gas boilers with heat pumps, installing building management systems, solar panels etc.

To achieve Islington's vision of becoming carbon-neutral by 2030, the Energy Services Team have identified that using the Retrofit Accelerator Workplaces Framework also known as RE:FIT, managed by the Greater London Authority is the best approach to decarbonising the Councils building stock. Previously, no other framework was in place for these types of works as the Council previously would run an open competitive procurement process to obtain a service provider to complete the works which is a longer process and requires greater staffing resources.

The RE: FIT Framework is a framework that allows public bodies to procure energy savings measures from a pool of pre-qualified and approved energy service providers who have experience in designing and installing energy saving measures on a variety of buildings in a timely and efficient manner. Under this framework a large number of buildings can be considered at the same time, and we estimate that up to 100 buildings will be considered for this project. The total cost associated to this project cannot be established until a service provider has been chosen from the pool of providers, performed high level energy appraisals (energy audits) on each building, and created an investment-grade proposal. The investment grade proposal outlines the guaranteed level of financial and carbon savings from the proposed measures for each building as well as the total cost of the works.

This framework is highly recommended because it is tailored to decarbonisation projects and is a quick and efficient route to market as well as saving the Council from having to go through rounds of procurement to implement individual energy measures for each building. The main benefits of procuring works under this framework is that the providers have all been approved by the Greater London Authority for their quality, saving the Council time and resources in finding a good service provider with the relevant experience, skills, and expertise in completing decarbonisation projects. Using an experienced provider will ensure the project progresses smoothly in line with expectations and the providers will know how to minimise disruptions which will benefit the residents.

Please provide:

- Context on how the service currently operates (if relevant) and the scope of suggested changes
- The intended beneficiaries and outcomes of the proposal
- Reference to any savings or income generation

Furthermore, the framework has helped 20 out of 23 London Local Authorities successfully procure retrofit projects for their buildings. We have also reached out to other London Local Authorities about their experience, and they have been positive as the framework is helping them achieve their climate change goals.

The aim of this proposal is to meet Islington's Vision 2030 goal of becoming net zero by 2030 by reducing the carbon emissions released from buildings in the borough through the retrofit works as described above. The proposed sites have yet been determined however it is anticipated that it will be borough wide, and the project will move in phases, by which a select number of Islington buildings will be considered per phase. A phase could consist of 10-12 buildings and will be based on the priority of the works, e.g an old building with an old gas boiler aged 25+.

## 2. What impact will this change have on different groups of people?

Please consider:

- Whether the impact will predominantly be external or internal, or both?
- Who will be impacted – residents, service users, local communities, staff, or others?
- Broadly what will the impact be – reduced access to facilities or disruptions to journeys for example?

The proposed sites (Islington public buildings), site users will benefit from the works because the measures will make the buildings more comfortable and healthier to be in because they will be warmer, cooler (depending on the season/weather – thermal comfort) and have improved air quality, which will improve their physical and mental well-being.

The retrofit works will also improve the energy efficiency of the buildings, resulting in lower energy consumption, benefitting the premises managers of the site through reduced energy costs.

Additionally, the council will also benefit as it will help improve the value of the Council's building stock and will demonstrate Islington's commitment to achieving our net zero goal to

becoming a fair and green borough by 2030. Therefore, the project will have external (the public) and internal (council) benefits.

The project will affect buildings users and residents near the proposed sites as there may be slight noise disruptions from installing the energy saving measure works. Because each building is different and requires different levels of energy improvements, and the proposed measures cannot be determined until the investment grade proposals for each phase have been completed, we cannot predict how long the works will take for each building to determine how long the overall project will take. It will be considered an ongoing project/ contract under the framework until all of the selected buildings have all of the proposed measures installed and the guaranteed energy performance and savings outlined in the investment grade proposals have been met. Therefore, we will be in contact with the service provider to assess the impact of different works for each of the buildings throughout the duration of the project. As part of the assessment, the EQIA documentation will be reviewed and updated on a regular basis throughout the project to ensure it reflects newly identified impacts.

There is potentially a possibility of reduced access for some sites but disruptions to journeys are not expected. Where we do assess that access to a building will be necessary, we will work with the provider and premises manager to minimise potential risks and disruptions by providing alternative access which will be communicated before the works and will have clear signage to direct service users.

The total impact of the works for each site cannot be determined until we have progressed to the IGPs stage where the required decarbonisation works for each of the building has been defined. However, please see below some of the anticipated outcome. This section will be updated as the project progresses to reflect the latest works/impacts/outcomes.

### 3. What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

This section of the assessment looks in detail at the likely impacts of the proposed changes on different sections of our diverse community.

#### 3A. What data have you used to assess impacts?

Please provide:

- Details of the evidence used to assess impacts on people with protected characteristics and from disadvantaged groups (see guidance for help)
- A breakdown of service user demographics where possible
- Brief interpretation of findings

The total impact of the works for each site cannot be determined until we have progressed to the IGPs stage where the required decarbonisation works for each of the buildings has been defined. This section will be updated as the project progresses to reflect the latest works/impacts/outcomes.

According to Islington's State of Equalities, in 2022 people aged 65 and over account for 9% of Islington's resident population and 14% of Islington residents are estimated to have a disability. From this information, we have assessed the potential impacts to individuals with these special characteristics.

This section will be updated on a regular basis as the project progresses, as we will have more information on the works and their potential effects on people with protected characteristics and disadvantaged backgrounds.

The next section discusses the potential impacts of the works and how they will be mitigated.

3B: Assess the impacts on people with protected characteristics and from disadvantaged groups in the table below.

Please first select whether the potential impact is positive, neutral, or negative and then provide details of the impacts and any mitigations or positive actions you will put in place.

Please use the following definitions as a guide:

Neutral – The proposal has no impact on people with the identified protected characteristics

Positive – The proposal has a beneficial and desirable impact on people with the identified protected characteristics

Negative – The proposal has a negative and undesirable impact on people with the identified protected characteristics



Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
	<p style="color: green;">Positive and Negative</p>	<ul style="list-style-type: none"> <li>• The provider may require closer parking access to the buildings, which may take parking spaces away from locals.</li> <li>• Construction may result in some temporary closures of footpaths for service users.</li> <li>• Noise disruption from the retrofit works could cause anxiety and confusion for some people.</li> <li>• The appointed service provider will be experienced and have knowledge on how to best minimise disruptions for people (which is a benefit of using this framework).</li> <li>• The measures will make the buildings more comfortable and healthier to be in because they will be warmer, cooler (depending on the season/weather – thermal comfort) and have improved air quality, which may benefit people with asthma/respiratory conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Road closures are not expected for these works but there may be parking disruptions near the buildings – private parking will be used for buildings that have it, but in the event of capacity issues or a lack of parking, public parking will be used. Clear communication around the affected area/building prior to the works with information on alternative parking spaces</li> <li>• Access to services will be kept clear with ramps where required.</li> <li>• Clear and organised routes to help avoid confusion in new areas.</li> <li>• Noise disruptions – works can only be conducted during the times stipulated in the terms and conditions</li> <li>• In the case a school is considered – works will only be completed during the summer period when school is closed to pupils.</li> </ul>

Disability  
(include carers)

Positive and Negative

- The provider may require closer parking access to the buildings, which may take parking spaces away from locals.
- Construction may result in some temporary closures of footpaths for service users.
- Noise disruption from the retrofit works could cause anxiety and confusion for some people with auditory sensitivity disabilities (autism, anxiety, etc).
- The appointed service provider will be experienced and have knowledge on how to best minimise disruptions for people (which is a benefit of using this framework).
- The measures will make the buildings more comfortable and healthier to be in because they will be warmer, cooler (depending on the season/weather – thermal comfort) and have improved air quality, which may benefit people with asthma/respiratory conditions.

- Disability elements of the Equality Act will be implemented, which will incorporate inclusive facilities accessible to disabled people such as alternative disabled parking where required. There will be clear communication around the affected area/building prior to the works.
- Noise disruptions – works can only be conducted during the times stipulated in the terms and conditions
- Instruct the service provider to consider the noise level criteria when selecting equipment to be used for construction during the design phase of the project to minimise noise disruptions.
- And in the case a school is considered, works will only be completed during the summer period when school is closed to pupils.

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Race or ethnicity	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Religion or belief (include no faith)	Neutral		
Gender and gender reassignment (male, female, or non-binary)	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Maternity or pregnancy	Negative	<ul style="list-style-type: none"> <li>• Construction may result in some temporary closures of footpaths for service users</li> <li>• Noise disruption from the works could cause anxiety and confusion for some people.</li> </ul>	<ul style="list-style-type: none"> <li>• Road closures are not expected for these works but there may be parking disruptions – private parking will be used for buildings that have it, but in the event of capacity issues or a lack of parking, public parking will be used.</li> <li>• Access to services will be kept clear with ramps where required.</li> <li>• Clear and organised routes to help avoid confusion in new areas.</li> <li>• The appointed service provider will be experienced and have knowledge on how to best minimise disruptions for people (which is a benefit of using this framework).</li> </ul>

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Sex and sexual orientation	Neutral		
Marriage or civil partnership	Neutral		

Characteristic or group	Positive/Neutral/Negative	What are the positive and/or negative impacts?	How will potential benefits be enhanced or negative impacts be eliminated or reduced?
Other (e.g. people living in poverty, looked after children, people who are homeless or refugees)	Neutral		

## 4. How do you plan to mitigate negative impacts?

Please provide:

- An outline of actions and the expected outcomes
- Any governance and funding which will support these actions if relevant

The total impact of the works for each site cannot be determined until we have progressed to the IGPs stage where the required decarbonisation works for each of the buildings has been defined. However, please see below some of the anticipated outcome. This section will be updated as the project progresses to reflect the latest project works/impacts/outcomes.

- Noisy works can only take place between a certain time during the day and will be defined in the terms and conditions of the contract specification.
- Clear and organised routes to help avoid confusion in new areas often experienced by people with disabilities.
- A risk assessment will be completed especially for affected groups of people, these may be service users, residents, locals etc as well as individuals with protected characteristics which may be negatively impacted by the works as highlighted in section 3b.
- Clear communications to local communities around the affected area prior to the works via flyers/letters/notices/ emails etc. The need for clear, simple information on the project and all communications/ consultation on the project to ensure it is accessible for all regardless of age and spoken language. Engagement with the local disability action groups and older people will be considered nearer to the works period if required.
- Monitor disabled pay parking usage in the area when decarbonisation works are taking place and look to re-provide disabled parking bay spaces on alternative parking spaces.



## 5. Please provide details of your consultation and/or engagement plans.

Please provide:

- Details of what steps you have taken or plan to take to consult or engage the whole community or specific groups affected by the proposal
- Who has been or will be consulted or engaged with
- Methods used or that will be used to engage or consult
- Key findings or feedback (if completed)

The total impact of the works for each site cannot be determined until we have progressed to the IGP stage where the required decarbonisation works for each of the building has been defined. However, please see below some of the anticipated outcome. This section will be updated as the project progresses to reflect the latest works/impacts/outcomes. Please see below our methodology in potentially determining the impacts which will be similar for all the sites below.

The premises managers of the buildings under consideration will be consulted to understand their energy needs and requirements, and the appointed energy service provider will conduct high-level energy appraisals to evaluate the current decarbonisation/energy status of the buildings to determine which energy-saving measures are required for each site. Based on this information, and if the Council is satisfied with the investment grade proposals, the retrofitting works will be scheduled, and the contractor will be informed of the specification and site management to ensure that the work is completed with minimal disruption.

Discussions will also be held with premises managers about the construction operation and how works can be carried to minimise disruption to the site users and residents/visitors near the site. If necessary, engagement with local disability action groups and older people will be considered closer to the construction period.

Noisy works will only take place between a certain time during the day and will be defined in the terms and conditions of the contract specification. There will be clear communications to site users and local communities around the affected area prior to the works through the means of flyers, letters and emails.

This section will be updated as and when we have more information.

Please provide:

- Details of what steps you have taken or plan to take to consult or engage the whole community or specific groups affected by the proposal
- Who has been or will be consulted or engaged with
- Methods used or that will be used to engage or consult
- Key findings or feedback (if completed)

## 6. Once the proposal has been implemented, how will impacts be monitored and reviewed?

Please provide details in the table below.

Action	Responsible team or officer	Deadline
Consult with Premises Managers to understand service provision and how work can be carried out to minimize disruption to services users	Helene Jacques	Cannot be set until a service provider has been appointed and has completed high level energy appraisals and investment grade proposals.
Ensure that specification and contracts require that installers to carry out work in a way that minimizes disruption	Helene Jacques	Will be stipulated in the contract.
Ongoing EQIA reviews as the project progresses to ensure that all impacts are captured, mitigated and monitored for the duration of the project.	Sara Abdalla	Ongoing review

Action	Responsible team or officer	Deadline

Please send the completed EQIA to [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk) for quality checking by the Fairness and Equality Team. All Equality Impact Assessments must be attached with any report to a decision-making board and should be made publicly available on request.

This Equality Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.

Member	Name	Signed	Date
Staff member completing this form	Sara Abdalla	<i>Sara Abdalla</i>	14/03/2023
Fairness and Equality Team	Sydney Alexander	<i>Sydney Alexander</i>	17/03/2023
Director or Head of Service			

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Environment and Climate Change  
Islington Town Hall  
Upper Street N1 2UD

Report of: Executive Member for Environment, Air Quality and Transport

Meeting of: Executive

Date: **20<sup>th</sup> July 2023**

Ward(s): all

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## Subject: Procurement Strategy for Fleet Replacement Programme

### 1. Synopsis

- 1.1. This report seeks pre-tender approval for the procurement strategy that sets out how the council intends to procure replacement vehicles within its existing fleet in accordance with Rule 2.8 of the Council's Procurement Rules.
- 1.2. Islington Council declared a climate emergency in June 2019 and published a strategy setting out how it aims to make the council net zero carbon by 2030. The net zero strategy is supported by Islington's Transport Strategy which sets out the council's vision, strategic objectives and policies for Islington's transport environment for the period up to 2041. The Strategy commits the council to meeting ambitious and challenging targets and to measuring its progress towards meeting these targets.
- 1.3. This procurement strategy for the ongoing council vehicle fleet replacement programme for the period 2023-2026 will help the council move toward achieving its net zero carbon target with particular focus on the opportunities to convert and repower existing assets from internal combustion engines (ICE) to electric.
- 1.4. This fleet replacement programme strategy does not intend to set-out the council's strategy on reducing its fleet though this itself remains a high priority as reducing the current fleet will inevitably reduce costs for

council in terms of initial capital expenditure for vehicles and related infrastructure as well as ongoing maintenance costs and energy usage for vehicles. Whilst the intention is to electrify all vehicles where possible the fact remains that even electric vehicles create particulate matter (PM) from tyres so reducing the fleet will also reduce this important concern whilst at the same time encouraging the use of powered assisted transportation including e-cargo/e-bicycles. A separate strategy will be commissioned this year setting out how this will be achieved with a collective commitment from all council directorates.

## 2. Recommendations

- 2.1. To approve the delegated power to allow the service to design and run a set of further competitions for vehicle purchases (as set-out in Appendix A).
- 2.2. To approve the delegated power for the Corporate Director of Community Wealth Building to award a series of contracts on the outcome of the further competitions.
- 2.3. To note the use of a vehicle hierarchy in determining preference of vehicle purchases including human-powered, retrofitted and battery electric vehicles.
- 2.4. To note the ongoing commitment to reduce the overall size of the fleet and the development of Fleet Reduction Strategy setting out the path to achieve it.

## 3. Background

- 3.1. Islington is dedicated to reducing air pollution, resolving the climate emergency, and eliminating health disparities by creating a cleaner, greener, and healthier borough. Through its Vision 2030: Building a Net Zero Carbon Islington by 2030 the council has committed to increasing the number of electric vehicles on its fleet with 100% of the owned/operated fleet being battery electric vehicles by April 2030. However, the council must remain financially prudent and this strategy

will ensure that robust procurement exercises continue to be in place in order for us to receive reliable and value for money vehicles which will serve the borough for a number of years.

- 3.2. Our fleet procurement strategy will also look to improve the borough with the following.

**Protecting the vulnerable**

- Improving health and inequality
- Partnership working with schools
- Monitoring local air quality
- Improving our fleet and reducing overall fuel usage
- Encouraging a shift to active travel and cleaner vehicles
- Working with partners to tackle air quality on a wider scale

**Better air - better health - better environment**

- Minimise emissions from construction
- Lead by example
- Concentrate on air quality focus areas
- Work with partners to introduce new policies

- 3.3. Many vehicles in the borough use fossil fuels, and their gas emissions are a significant contributor to the production of greenhouse gases. (GHG). The addition of electric vehicles to the council fleet also improves the in-cabin air quality for drivers, staff and passengers with a reduction of common pollutants from those which emanate from petrol/diesel vehicles including exhaust ultrafine particles, like carbonaceous soot from brake dust or diesel exhausts and volatile organic compounds (VOCs) including hydrocarbons.
- 3.4. This procurement strategy will outline how the council intends to purchase "battery electric zero-emission vehicles", such as Electric Vehicles (EVs) and explore the developments of Hydrogen fuel cell vehicles over the coming years. Typically, the term "zero-emission vehicles" refers to modes of transportation that do not produce hazardous pollutants during operation via the tailpipe. The definition of harmful emissions is those recognised to affect the environment or human health. Carbon dioxide, carbon monoxide, nitrogen and sulphur oxides, ozone, various hydrocarbons, volatile organic compounds (VOC), volatile forms of heavy metals, and particulate matter may all be considered as harmful emissions.

- 3.5. Where suitable and financially beneficial, existing high value assets such as refuse collection vehicles and buses may be refurbished and converted from diesel to electric (battery-powered). Currently only refuse collection vehicles can be upcycled via Lot 5 the TPPL framework (HGV & Specialist Vehicles) though we will explore the possibility of retrofitting other current fleet vehicles with vehicle conversion suppliers during the lifespan of this strategy. The 2021 'Repower and Refurbishment of 2 x 26t Dennis Eagle RCV' tendering exercise resulted in only 'Refuse Vehicles Solutions Limited (RVSL)' bidding and winning this tender.
- 3.6. Where viable battery electric zero emission vehicles are not yet available for purchase, hire or leasing of alternative vehicles shall be utilised until suitable zero emission vehicles are available.

Preference for hire vehicles will be given as:

1. Human powered transportation (e.g., bicycles, velomobiles Electric (battery-powered)
  2. Retrofit/upcycle existing fleet vehicles
  3. Electric/Petrol Hybrid
  4. Euro 6 Petrol
  5. Euro 6/VI Diesel
  6. Hydrogen-fuelled
  7. Bio-methane
  8. Paraffinic bio-based liquid fuel
- 3.7. The strategy also recognises the need to assess the ongoing requirements of the fleet against the service needs that it supports and ensure that other more sustainable modes of carbon friendly transport are considered as part of the council's overall transport solution including active travel including powered assisted transportation. We will also take the needs of any council employees who require adaptive bicycles due to any specific disabilities they may have with a wide range of accessible bicycle options now available. Where practical, opportunities to reduce the total fleet will also be taken. A separate strategy will be produced in the new financial year setting out the path to reducing the overall fleet, including an ambitious set of targets, with the aim of agreeing a collective commitment from all council directorates.



- 3.8. The council operates a fleet of 524 vehicles across all council departments, with 454 of their vehicles being owned by the council. In recent years, significant progress has been made to improve and modernise the fleet by transitioning away from internal combustion engines i.e., diesel and petrol. The ongoing electrification of the fleet is essential to deliver on Islington's commitment to achieving its net zero carbon position with electrical vehicles representing the only zero-tailpipe emission vehicles currently available.
- 3.9. The ongoing replacement of the council's existing fleet with new vehicles and the conversion of current assets to battery electric zero tailpipe emission vehicles is reducing the council's environmental effect on the borough. Vehicle emissions from fleet vehicles is reported as a corporate performance indicator with overall emissions reducing year on year from a baseline of 2,726 tCO<sub>2</sub>eq (carbon dioxide equivalent) emissions in (2018/19) to 2,397 tCO<sub>2</sub>eq in (2021/22), this reduction would be comparable to a carbon saving equivalent to 7.8 Hectares of average UK woodland.
- 3.10. This change to greener vehicles also alleviates the financial burden for both expensive short-term hire vehicles and the Ultra Low Emission Zone (ULEZ) penalty charges applied to non-compliant Euro 5 diesel engines. A number of the vehicles set-out in Appendix A will replace 19 vehicles hired by services over the next three years. The current cost of the vehicles due to be replaced is estimated at £424,000 assuming an annual operation of these vehicles. This saving will fall directly to services currently paying for these hired vehicles.
- 3.11. Likewise, the council currently incurs a £61,500 per annum cost across the 21 non-ULEZ compliant vehicles. This strategy seeks to replace all these vehicles again with this saving being passed directly to the service operating these vehicles and taking these higher polluting vehicles off the road. It is also cutting fuel and maintenance expenses, as well as the downtime now incurred by operational services as a result of unstable ageing assets.
- 3.12. Compressed natural gas and gas-to-liquid fuel have been tested by the council as alternatives to conventional fuels but have proven unviable since they would commit Islington to the long-term use of internal combustion engines with little environmental benefits. These fuels are

not compatible with the borough's net zero carbon aspirations. Wherever possible, future decisions on fleet replacement will prioritise powered assisted vehicles and full battery electric vehicles.

## 4. Estimated value

4.1. The current capital budget allocated for the whole council's vehicle fleet replacement programme is:

- **£2m per year** over three years for vehicles used by services funded from the general fund
- **£3m budgeted in 2024/25 to cover a 5-year period until 2029/30** within the Housing Revenue Account for the replacement of high mileage and end of life housing vehicles

4.2. Therefore, the combined budget for the vehicle replacement programme is £9m over the three (3) years (2023/24 to 2025/26) of this overarching procurement strategy, inclusive of the £3m budget set aside in 2024/25 for the HRA funded vehicle replacements.

4.3. The three-year vehicle replacement programme incorporates four priorities:

- High Fuel/Emission vehicles
- Non-ULEZ Complaint vehicles
- Hire/Rental vehicles
- End of life vehicles

4.4. The 'Fleet Replacement Programme Costs' for financial years 2023/24 to 2026/27 include the procurement of a wide range of vehicles of different models and weight classes which will be used across the council for a range of tasks. See **Appendix 1** for further detail.

4.5. Transition to a battery electric fleet is supported by the Fleet Electrification Business Case produced in 2020 which evidences the financial incentive for adopting a fully electric fleet. This work is being updated taking real-life data from EVs operated within services across the council to further evidence the financial benefits of fleet electrification with the obvious benefits being the reduction of fuel and maintenance costs.

## 5. Timetable

- 5.1. The existing fleet procurement strategy expires at the end of August 2023. The new fleet procurement strategy will run from 1 September 2023 for three years ending on 31 August 2026. The council has committed to establishing a fleet that produces zero Carbon Dioxide emissions from operations by 2030. This procurement strategy will enable the council to continue to progress in line to meet this objective.
- 5.2. A delay to the implementation of this strategy would lead to significantly increased operational costs to the council due to increasing reliance on more expensive hired vehicles required to maintain service provision while covering the long lead times for delivery of newly purchased EVs.
- 5.3. In the preparation for this procurement strategy the council's Finance and Strategic Procurement and Supply Assurance teams have been consulted and their comments have been incorporated into this report.
- 5.4. **Proposed contract award process**
- 5.5. Prior to vehicles being purchased under this procurement strategy the council fleet management team will draft a business case seeking approval for the acquisition of a specific vehicle or batch of vehicles.
- 5.6. The business case will set out the procurement framework agreement chosen to be used for each further competition or direct contract award based on supplier suitability within the framework and the ability to maximise market competition in delivering against the objectives set out within this strategy. The business case will also provide detail on the preference of vehicle type against the hierarchy, bring together the best available market intelligence and put forward a recommendation for award to be taken forward under delegated decision-making process and in line with the relative sign-off value of the award. This will in turn be presented to the Corporate Director to be evaluated and signed-off in support of this strategy.
- 5.7. A contract award report will be drafted following the completion of the procurement exercise and the decision to award the contract and place the purchase order will be made in accordance with the applicable council governance decision making threshold.

Further competitions will be carried out using the following process:

- Approval of business case
- Further competition
- Evaluate submissions
- Approval of contract award
- Award of contract

## 6. Options appraisal

- 6.1. The following options for procurement were considered during the preparation of this procurement strategy:
- 6.2. Procuring an in-house framework agreement of vehicle suppliers. This option would involve the council undertaking a tendering exercise to procure suppliers of vehicles. Individual further competition exercises would then be undertaken by the council each time it needed to purchase new vehicles. Advantages of this option are the council has more control over the procurement exercise and conditions in place for the suppliers joining the framework agreement. However, there are significant drawbacks to this option which includes the significant time and financial resources needed from across the council to undertake such a significant procurement exercise. This option is also not considered to be financially viable. The council would have to significantly increase its in-house resource dedicated to managing a new framework. There are also a number of frameworks already in operation which provide the service that we as a council would be most interested in pursuing, this would likely make the creation of a new similar framework redundant. Given the likely competition from other frameworks, the inherent cost in the option and the challenge of competing against larger existing external procurement frameworks this option is not recommended.
- 6.3. Collaboration with other local authorities to purchase vehicles. This option would involve the council working with other council to set up a joint procurement framework agreement. The benefits and drawbacks to this option are similar to the above with the added drawbacks of the additional time and effort that would be required to set up such an agreement and the real risk that the vehicle purchasing priorities for other local authorities would not sufficiently align with those of Islington. For these reasons this option not recommended.

- 6.4. Using an external framework agreement. There are a number of existing external framework agreements which the council could use to purchase vehicles. Benefits of using one external framework agreement is that they have significantly higher buying power than the council can achieve alone. The council is also familiar with the procurement processes of the established framework agreements. Using further competitions through a framework agreement enables the council to ensure value for money from suppliers on the framework agreement competing for our orders. However, the council has found over recent years there is a significant drawback to relying on only one framework agreement as these limits the number of suppliers taking part in particular procurements. As new green technology and innovation is being brought to the market by new suppliers the council is struggling to access these opportunities as they are often not part of established framework agreements until they are renewed which can take a number of years. For this reason, this option has not been recommended.
- 6.5. Utilizing a number of existing external framework agreements. This option will involve the council choosing the most appropriate framework agreement for the individual tendering exercise being undertaken at any given time from one of a number of established providers of vehicle procurement framework agreements. The benefits of this option are that the council will be able to make procurement decisions in a more agile way to best meet the needs of any individual procurement exercise. This also enables the council to access more vehicle suppliers which can help when demand from certain suppliers is high, and they have longer lead times for the delivery of vehicles. By having several different framework agreements to access the council will best be able to access new framework agreements as they are established which in turn will best enable the council to access new green vehicles and electric vehicle technologies as they are brought to market by new vehicle manufacturers and suppliers. The drawback of this option is that the procurement options are less straightforward as there are more framework agreements to consider but this is ultimately a benefit given the clear opportunities this option provides. For these reasons this option is the preferred and recommended option.
- 6.6. The external procurement providers which have been reviewed and are recommended to be considered as options for future purchasing under

this procurement strategy are listed below. Their relative benefits of each are detailed:

Central purchasing body (Frameworks)	Description	Pros	Cons
<b>The Procurement Partnership Ltd (TPPL)</b>	The current framework agreement used for vehicle procurement over the last four years	<ul style="list-style-type: none"> <li>• Well utilised framework agreement which has served the council well up until now.</li> <li>• Provides bespoke assistance and advice on vehicle specs and market availability via designated contacts.</li> <li>• Can provide demonstration vehicles for council to test.</li> <li>• Established relationship with vehicle manufactures across a range of makes and models.</li> </ul>	<ul style="list-style-type: none"> <li>• Due to the relative infancy of the EV sector some suppliers to which the council could utilise are not on the current framework agreement limiting vehicle options. This situation is likely to change as TPPL replace old framework agreements with new agreements over time.</li> </ul>
<b>Eastern Shires Purchasing</b>	A previously utilised framework	<ul style="list-style-type: none"> <li>• Previous experience of utilising</li> </ul>	<ul style="list-style-type: none"> <li>• New EV technology is entering</li> </ul>

<p><b>Organisation (ESPO)</b></p>	<p>agreement providing specialist vehicle procurement to a wide range of suppliers the council can utilise. Currently utilised for internal council EV charger installation.</p>	<p>ESPO for vehicle procurement.</p> <ul style="list-style-type: none"> <li>• 50 suppliers providing specialist vehicle manufacture which support the types of vehicles the council utilises.</li> <li>• Established relationship with vehicle manufactures across a range of makes and models.</li> </ul>	<p>the market at a rapid pace. The ESPO fleet framework agreement is likely to be less suitable than a Dynamic Purchasing System (DPS) in this situation given new suppliers cannot join the framework agreement as easily.</p>
<p><b>Yorkshire Procurement Organisation (YPO)</b></p>	<p>YPO utilises a Dynamic Purchasing System (DPS) to allow suppliers to join the framework at any point within its contract period specialising in alternatively</p>	<ul style="list-style-type: none"> <li>• A dynamic purchasing system ensures the framework agreement stays up to date with latest vehicles and suppliers entering the market for specialist vehicles.</li> <li>• Provide assistance and advice on</li> </ul>	<ul style="list-style-type: none"> <li>• Too many supplier alternatives may make it more challenging to locate suitable providers capable of meeting crucial procurement needs.</li> </ul>

	<p>fuelled vehicles.</p>	<p>vehicle specs and market availability via designated contacts new suppliers entering the market.</p> <ul style="list-style-type: none"> <li>• Specialises in alternatively fuelled vehicles rather than internal combustion engine.</li> <li>• Includes bespoke vehicle replacement options which support council's strategic priorities on sustainable travel such as e-bikes and e-scooters.</li> <li>• Can provide demonstration vehicles for council to test.</li> <li>• Established relationship with vehicle manufactures across a range of</li> </ul>	
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		makes and models.	
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- 6.7. When purchasing new vehicles officers will determine the most appropriate framework agreement to utilise based on the type of vehicle required, availability of vehicle types required and the availability of suppliers on each framework agreement.

## 7. Key Considerations

- 7.1. Delivering the council's social value objectives is a key element of this procurement strategy and likewise the three frameworks make significant commitments to social value. TPPL provide expert advise on how to engage the market and how to achieve a realistic return based on the procurement size and the bespoke aims of the council. YPO maintain a 5 year strategy on social value and work to ensure they have a diverse sustainable and ethical supply chain including a dedicated social value portal. ESPO have partnered with the social value portal which has worked with ESPO to ensure social value is embedded across their frameworks making it simpler for the council to add its social value commitments and with an interactive web-based tool for suppliers to complete social value submissions.
- 7.2. All use of the framework agreements included will ensure that suppliers address their contribution to social value for Islington and deliver contributions following a successful contract award. Social value contributions will form part of the supplier tender response and must be included within their pricing of the work.
- 7.3. Preferred options for how suppliers may meet social value requirements are set out as below:
- Opportunities to provide direct employment or training for local residents is likely to be limited due to the nature of this contract but there may be opportunities for the vehicle suppliers to contribute to the council 100 hours of work scheme to run sessions with young people in Islington about employment opportunities within the industry.

- Opportunities for apprentice placements/rotations to vehicle suppliers as a means to upskilling and providing invaluable experience in our younger workforce
  - Getting commitment from suppliers to provide some outreach, particularly around the STEM subjects for Islington schools and colleges.
  - The council can also push suppliers to provide at no or lower cost additional equipment to the specification of the vehicles they supply which have a social benefit to the users of the vehicles and also safety measures for other more vulnerable road users including cyclists and pedestrians as well as exceeding the requirements for TFL's Direct Vision Standard.
  - Additional contribution to social value that can be achieved through the vehicle replacement programme will be to seek ways that suppliers can help the council achieve additional environmental benefits from our new vehicle purchases. Examples may be to supply higher performing batteries in electric vehicles which mean they have a higher mileage range with need for fewer charging periods.
  - The use of more environmentally friendly products and components within the vehicles themselves which contain less plastic and are more easily recycled at the end of the vehicles' life.
  - Environmental considerations could also be given by the vehicle suppliers as part of their delivery arrangements of new vehicles to the borough to ensure these are conducted in the most environmentally friendly and efficient way. This could be achieved by minimising the number of heavy goods vehicles trips needed.
  - A number of the framework agreements incorporate rebate-based incentives which will result in cost savings for its users to support the transition to carbon neutrality.
- 7.4. The team will continue to work with the I-works team to try to ensure that service vacancies directly linked to this procurement strategy are available for local residents.
- 7.5. Best value will be assessed against each vehicle requirement to ensure the lowest emission, safest, technologically prudent and operationally/financially viable models are selected.

7.6. The London Living Wage will apply to this procurement strategy.

7.7. There are no TUPE, pension or staffing implications.

## 8. Evaluation

8.1. Purchases made through the selected external procurement framework agreement will be subject to a further competition amongst all suppliers on the framework agreement to ensure the council achieves competitive pricing from all suppliers. Only in exceptional circumstances the council will issue a directly awarded contract to an individual supplier under the selected framework agreement when it is inappropriate or impossible to conduct further competition, such as when only a single supplier can provide the council with a specialist vehicle. Further competition evaluation will be assessed based on 40% price and 60% quality. The more detailed breakdown of the evaluation will be:

- 40% price
- 20% on specification
- 10% on delivery
- 10% on after-sales/warranty
- 20% on social value

## 9. Business risks

9.1. The principal business risk associated with this procurement is the limited number of providers capable of meeting the demand to offer suitable large electric vehicles following the council's net-zero pledge. Likewise, the availability of options to Upcycle vehicles are limited as suppliers in this market is very small with the upcycling only being possible on refuse collection vehicles. The council will continue to engage with frameworks and vehicle suppliers to make them aware of our requirements, particularly to Upcycling all types of vehicles and encourage them to develop new vehicle technologies that meet our net zero carbon and circular economy targets.

9.2. The risk of possible vehicle supplier failing could have a significant adverse impact the service. Expanding the number of suppliers via multiple framework agreements under this strategy will help the council mitigate the impact of any individual vehicle supplier failing. The council

will periodically review the performance of utilised frameworks and individual vehicle suppliers, innovative solutions will be explored to ensure that all viable options are used.

- 9.3. Failure to complete procurement exercises on time will increase the proportion of ULEZ penalty charges, continued diesel fuel consumption and increasing vehicle downtime/maintenance costs associated with the outgoing fleet vehicles.
- 9.4. Likewise vehicle supplier delivery lead times have lengthened creating an additional business risk. These are due to the increasing demand for EVs on the market and significant shocks to global supply chains impacting production. To mitigate this risk, the council will develop working relations with the mentioned framework agreements, especially those with DPS capabilities, to ensure flexibility in how vehicles are purchased and when.
- 9.5. The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.
- 9.6. The following information is required to be specifically approved in accordance with rule 2.8 of the Procurement Rules:

Relevant information	Information/section in report
1. Nature of the service	Replacement of Council Fleet Vehicles See paragraph 3

<p>2. Estimated value</p>	<p>There is allocated capital budget for this procurement strategy totalling to £9m.</p> <p><b>£2m per year</b> over three years for vehicles used by services funded from the general fund</p> <p><b>£3m budgeted in 2024/25 to cover a 5-year period until 2029/30</b> within the Housing Revenue Account for the replacement of high mileage and end of life housing vehicles</p> <p>See Paragraph 4</p>
<p>3. Timetable</p>	<p>This procurement strategy will run for 36 months from September 2023. £2m per annum will be allocated up to September 2026 for the three-year period. £3m available to replace for end of life housing vehicles with likely replacement in 2025/26.</p> <p>See Paragraph 5</p>
<p>4. Options appraisal for tender procedure including consideration of collaboration opportunities</p>	<p>Detail of the procurement options considered are shown in the report. The procurement process used for purchases will be dependent on the individual types of vehicles being purchased. Where appropriate mini competitions will be let, where there is only one suitable vehicle available call off within the framework agreement will be used.</p> <p>See paragraph 6</p>
<p>5. Consideration of:</p> <ul style="list-style-type: none"> <li>• Social benefit clauses.</li> <li>• London Living Wage;</li> <li>• Best value;</li> <li>• TUPE, pensions and other staffing implications</li> </ul>	<p>The council may employ local residents through the framework agreement if additional resources are required.</p> <p>The London Living Wage will apply to this procurement strategy.</p> <p>See section 7</p>
<p>6. Award criteria</p>	<p>Further competition evaluation will be awarded based on 40% on pricing, 20% on specifications, 10% on</p>

	<p>delivery, 10% on after-sales/warranty, and 20% on social value.</p> <p>See section 8</p>
7. Any business risks associated with entering the contract	<p>Risks associated with this strategy are set out in the body of this report.</p> <p>See Paragraph 9</p>
8. Any other relevant financial, legal or other considerations.	<p>Minimising the council's emissions related payments in the coming years and significantly reducing the council fleet exhaust emissions as quickly as possible are key considerations.</p> <p>See Paragraph 10</p>

## 10. Implications

### Financial Implications

- 10.1. On 2 March Full Council approved a capital programme which includes continued investment in which includes £2m per annum between 2023/24 to 2025/26 plus an additional £3m in 2024/25 for HRA vehicles. The total budget for the vehicle replacement programme over the next three financial years and is therefore £9m.
- 10.2. The programme of vehicle replacements as set-out will allow the council to avoid certain costs it currently incurs. The replacement of all planned hire vehicles should reduce hire costs to services by £424,000. Whilst the replacement of 21 non-ULEZ compliant vehicles on fleet should reduce annual expenditure on the ULEZ charge of £61,500. This is based on existing hire vehicles and modelling as at September 2022 included in Appendix 1.

### Legal Implications

- 10.3. This Report sets out the procurement strategy for the 3-year period from 1<sup>st</sup> September 2023 to 31<sup>st</sup> August 2026 with a total estimated budget of £9m and seeks delegated powers for the Corporate Director

of Environment and Climate Change and officers to run the process and make the relevant awards of the contracts.

- 10.4. The strategy to run various mini-competitions under the terms of the Frameworks referred to in paragraph 6.6 of this Report is a process which is compliant with both the Public Contracts Regulations 2015 and the council's Procurement Rules. Officers must ensure that each of the Frameworks permits mini-competitions and that the Framework rules are strictly followed.
- 10.5. Once the results of each mini-competition are known a Contract Award Report must be signed by the Corporate Director of Environment and Climate Change and must also be published as a Key Decision if the value of the contract is above the relevant threshold.
- 10.6. The council has power to procure and enter into these contracts pursuant to Section 111 of the Local Government Act 1972, Section 1 of the Local Government (Contracts) Act 1997 and Section 1 of the Localism Act 2011.

### **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 10.7. The purchase of new vehicles will have significant environmental impacts. The manufacture and transport of the vehicles will have impacts including resource and energy use, and once in use, the vehicles will have ongoing energy consumption. In addition, disposal of old vehicles will have environmental impacts related to their disposal.
- 10.8. However, the ongoing environmental impact of the new electric vehicles will be lower than the diesel and petrol vehicles they replace, as they will have zero tailpipe emissions. Vehicles will be largely charged at council sites, which are now on a renewable electricity tariff. The council is also installing a vehicle charging system that will maximise charging at times of day when renewable power is supplying a greater proportion of grid electricity, while the vehicle batteries may also be used to help power council buildings during peak periods, both of which will assist the electricity grid with the transition to a greater proportion of renewables. In some cases, the impacts of material use, and vehicle disposal will be mitigated by refurbishing existing vehicles rather than purchasing new ones.

## 11. Equalities Impact Assessment

- 11.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 11.2. An Equalities Impact Assessment screening tool has been completed, no further Equalities Impact Assessment is required.

## 12. Conclusion and reasons for recommendations

- 12.1. The council must renew its procurement strategy for fleet replacement to cover the next three-year period. It is recommended that the existing Procurement Partnership Ltd (TPPL) framework agreements continue to be accessed as it is the quickest route to market to meet our requirements. Framework agreements via ESPO and YPO have been identified and recommended as additional procurement route options to meet future fleet procurement requirements.

### **Appendices:**

- Appendix 1- Fleet Procurement Plan
- Appendix 2- Equality Impact Assessment

### **Background papers:**

- None



**Final report clearance:**

Approved by:

Executive Member for Environment, Air Quality and Transport

Date: 6.7.23

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Budget	Vehicle	Department	In-Year Vehicle Cost	Fuel use litres (12 months)	Fuel (12 months) Cost Avoidance	Estimated CO2 Reduction (tCO2eq)
23/24 Funding	26t split RCV Conversion and Refurb	Environment (Waste)	£149,850.30	6309	£8,737.00	15.9
23/24 Funding	26t split RCV Conversion and Refurb	Environment (Waste)	£149,850.30	7959	£10,990.00	20.1
23/24 Funding	26t split RCV Conversion and Refurb	Environment (Waste)	£149,850.30	7929	£11,028.00	20.0
23/24 Funding	26t split RCV Conversion and Refurb	Environment (Waste)	£149,850.30	7696	£10,640.00	19.4
23/24 Funding	Electra 19t RCV	Environment (Waste)	£192,290.00	16873	£23,551.00	42.5
23/24 Funding	Electra 19t RCV	Environment (Waste)	£192,290.00	18366	£22,656.00	46.3
23/24 Funding	23 seater high-floor full access E-bus	ACT	£165,200.00	2421	£3,369.00	6.1
23/24 Funding	35 seater high-floor full access E-bus	ACT	£203,000.00	2998	£4,192.00	7.56
23/24 Funding	Ford E-Transit	Libraries (Facilities)	£50,932.34	744	£1,027.00	1.88
23/24 Funding	18t Food Waste RCV	Environment (Waste)	£422,500.00	6,329.44	£6,531.00	15.95
23/24 Funding	Dennis E-Collects 19t RCVs	Environment (Waste)	£189,823.50	4532	£6,531.00	11.42
23/24 Funding	Dennis E-Collects 19t RCVs	Environment (Waste)	£189,823.50	13798	£19,282.00	34.8
23/24 Funding	Small Car	Environment (Waste)	£31,000.00	730.95	£2,936.00	1.8
23/24 Funding	Fiat E-Ducato 14 seater minibus	ACT	£95,027.00	3056	£4,270.00	7.7
24/25 Funding	Renault Turberg Food Waste Vehicle	Environment (Waste)	£384,825.00	6329	£8,771.02	16.0
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	1028	£1,428.00	2.6
24/25 Funding	Small Panel Van (Van)	Building Cleaning	£30,000.00	453	£569.00	1.1
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	779	£1,064.00	2.0
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	982	£1,358.00	2.5
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	723	£979.00	1.8
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	1167	£1,615.00	2.9
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	905	£1,273.00	2.3
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	870	£1,201.00	2.2
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	691	£951.00	1.7
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	761	£1,068.00	1.9
24/25 Funding	Tipper 3500kg (Tipper)	Grounds Maintenance	£76,997.00	739	£1,040.00	1.9
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	892	£1,237.00	2.2
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	1964	£2,767.00	5.0
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	909	£1,281.00	2.3
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	905	£1,273.00	2.3
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	806	£1,103.00	2.0
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Grounds Maintenance	£76,997.00	1410	£1,960.00	3.6
24/25 Funding	Dropside Lorry with Tail-Lift 3500kg (Lorry)	Highway Services	£76,997.00	1441	£1,990.00	3.6
24/25 Funding	Tipper with Tail-Lift 3500kg (Tipper)	Highway Services	£76,997.00	1709	£2,379.00	4.3
24/25 Funding	Dropside Lorry with Tail-Lift 3500kg (Lorry)	Highway Services	£76,997.00	3776	£5,275.00	9.5
25/26 Funding	3500kg Tipper with Tail-Lift (Tipper)	Grounds Maintenance	£76,997.00	305	£425.00	0.8
25/26 Funding	3500kg Tipper (Tipper)	Grounds Maintenance	£76,997.00	1232	£1,751.00	3.1
25/26 Funding	3500kg Tipper with Tail-Lift (Tipper)	Grounds Maintenance	£76,997.00	1331	£1,827.00	3.4
25/26 Funding	3500kg Tipper with Tail-Lift (Tipper)	Grounds Maintenance	£76,997.00	1433	£2,007.00	3.6
25/26 Funding	3500kg Tipper (Tipper)	Grounds Maintenance	£76,997.00	729	£950.00	1.8
25/26 Funding	Tipper 3500kg (Tipper)	Grounds Maintenance	£76,997.00	1842	£2,577.00	4.6
			<b>£4,671,037.52</b>	<b>135852.39</b>	<b>£185,859.02</b>	<b>342.43</b>

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# Equality Impact Assessment: Screening Tool

## Summary of proposal

Page 537

Name of proposal	Fleet Procurement Strategy
Reference number (if applicable)	
Service Area	Environmental Services
Date screening completed	16/02/23
Screening author name	Ange D'or Thomas
Fairness and Equality team sign off	Esther Craven
Authorising Director/Head of Service name	Chris Demetriou Head of Corporate Fleet, Transport & Accessible Community Transport

Before completing the EQIA Screening Tool please read the guidance and FAQs. For further help and advice please contact [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk).

# Please provide a summary of the proposal.

Please outline:

- What are the aims/objectives of this proposal?
- Will this deliver any savings?
- What benefits or change will we see from this proposal?
- Which key groups of people or areas of the borough are involved?

## **What are the aims/objectives of this proposal?**

Islington is dedicated to reducing air pollution, resolving the climate emergency, and eliminating health disparities by creating a cleaner, greener, and healthier borough. Our plan for improving air quality complements other borough initiatives, such as Vision 2030.

Our fleet procurement strategy will also look to improve the borough with the following.

- 1. Protecting the vulnerable**
- 2. Keeping Islington moving**
- 3. Better air - better health - better environment**

This Procurement Strategy aim's to outline how the council will purchase/replace its fleet for the next three years (2023-2026). The new strategy will outline plans for how and what type of Electric Vehicles (EV) will be purchased to achieve the

long-term goal of electrifying the Islington fleet and meeting the 2030 net-zero target. This will need to include alternative frameworks to The Procurement Partnership Ltd (TPPL) i.e.; Yorkshire Procurement Organisation (YPO) and Eastern Shires Purchasing Organisation (ESPO).

### **Will this deliver any savings?**

- A number of the framework agreements incorporate rebate-based incentives which will result in cost savings for its users to support the transition to carbon neutrality.
- There is also a long term savings exercise in the cheaper alternative to providing fuel at a cheaper rate via 'Electric Vehicles' (EV).

### **What benefits or change will we see from this proposal?**

Many vehicles in the borough use fossil fuels, and their gas emissions are a significant contributor to the production of greenhouse gases (GHG). The 'Fleet Procurement Strategy' will provide benefits such as;

- **Improving our fleet and reducing overall fuel usage** will decrease the proportion of Ultra Low Emission Zone (ULEZ) penalty charges, continued diesel fuel consumption and decreasing demand for vehicle downtime/maintenance costs associated with the out dated fleet vehicles.
- **Dynamic Purchasing System (DPS)** which is a function allowing suppliers to join the framework at any point within its contract period specialising in alternatively fueled vehicles. A DPS option, will ensure that the recommended framework agreements stays up to date with latest vehicles and suppliers entering the market for specialist vehicles.



- Unlike the previous strategy this new report will allow the council to **utilize a number of existing external framework agreements**. This option will involve the council choosing the most appropriate framework agreement for the individual tendering exercise being undertaken at any given time from one of a number of established providers of vehicle procurement framework agreements. The benefits of this option are that the council will be able to make procurement decisions in a more agile way to best meet the needs of any individual procurement exercise. This also enables the council to access more vehicle suppliers which can help when demand from certain suppliers is high, and they have longer lead times for the delivery of vehicles.
- The primary contribution to **social value** that can be achieved through the vehicle replacement programme will be to seek ways that suppliers can help the council achieve additional environmental benefits from our new vehicles purchases. Examples may be to supply higher performing batteries in electric vehicles which mean they have a higher mileage range with need for fewer charging periods.

#### **Which key groups of people or areas of the borough are involved?**

- The proposal only affects Islington fleet and therefore the groups that are affected are the internal council services that use vehicles.
- The strategy supports vehicle purchases for key services which support residents such as our Accessible Community Transport buses as this is a positive impact.
- The only potential impact could be due to supplier delays in retrieving vehicles due to its high demand or supplier material issues. This delay on delivery could impact services who require specified vehicles. However, its worth noting that this is a minimal risk.

On whom will the proposal impact? Delete as appropriate.

Group of people	Impacted?
Service users	Yes
Residents	Yes
Businesses	Yes
Visitors to Islington	Yes
Voluntary or community groups	Yes
Council staff	Yes
Trade unions	Yes

Group of people	Impacted?
Other public sector organisations	Yes
Others	Please specify: N/a

## What consultation or engagement has taken place or is planned?

Please outline:

- Which groups or communities you have consulted/plan to consult
- Methods used/will use to engage (for example, focus groups)
- How insight gained from engagement or consultation has been/will be fed into decision making or proposal design

If you have not completed any engagement activity and do not plan to, you should outline why this decision has been made.

The proposal which outlines a route map of how the council plan to purchase vehicles for the three years, will not require engagement activities with groups or communities. This proposal does not require additional inputs from external groups or individuals.

## What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

Of the groups you have identified above, please now indicate the likely impact on people with protected characteristics within these groups by checking the relevant box below. Use the following definitions as a guide:

Neutral – The proposal has no impact on people with the identified protected characteristics

Positive – The proposal has a beneficial and desirable impact on people with the identified protected characteristics

Negative – The proposal has a negative and undesirable impact on people with the identified protected characteristics

You should then assess whether the negative impact has a low impact, medium impact or high impact. Consider the level and likelihood of impact. Please also think about whether the proposal is likely to be contentious or perceived as a negative change by certain groups, as this could justify the completion of a full EQIA. See the guidance for help.

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on its commitment to electrify its fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
				of vehicle operations with newer vehicles with the latest safety equipment installed.
Disability (include carers)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	<p>Emerging new technology on available EV's could see future buses adopt accessible functions which would benefit passengers with a disability.</p> <p>Where traditional motor vehicles are not suitable for staff with disabilities we will procure adaptive or accessible bicycles for staff with specific requirements. Over recent years more and more options are now available in terms of accessible bicycles including adult trikes, electric bikes, tandems, handcycles, recumbents and wheelchair tandems and carriers</p>
Race or ethnicity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
				of vehicle operations with newer vehicles with the latest safety equipment installed.
Religion or belief (include no faith)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger of vehicle operations with newer vehicles with the latest safety equipment installed.
Gender and gender reassignment (male, female or non-binary)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger of vehicle operations with newer vehicles with the latest safety equipment installed.
Maternity or pregnancy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
				of vehicle operations with newer vehicles with the latest safety equipment installed.
Sex and Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger of vehicle operations with newer vehicles with the latest safety equipment installed.
Marriage or Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to delivery essential services and reduce the danger of vehicle operations with newer vehicles with the latest safety equipment installed.
Other (e.g. people living in poverty, looked after children, people who are homeless or refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	This strategy ensures Islington can deliver on it's commitment to electrify it's fleet. This will have a positive impact for all residents in reducing both carbon and pollution emissions, quieter vehicles to



Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
				delivery essential services and reduce the danger of vehicle operations with newer vehicles with the latest safety equipment installed.

## How do you plan to mitigate negative impacts?

Where there are disproportionate impacts on groups with protected characteristics, please outline:

- The other options that were explored before deciding on this proposal and why they were not pursued
- Action that is being taken to mitigate the negative impacts

Action	Lead	Deadline	Comments

Screening Decision	Outcome
Neutral or Positive – no full EQIA needed*.	Yes/No
Negative – Low Impact – full EQIA at the service director’s discretion*.	Yes/No
Negative – Medium or High Impact – must complete a full EQIA.	Yes
Is a full EQIA required? Service decision:	Yes/No
Is a full EQIA required? Fairness and Equality recommendation:	No

\* If a full EQIA is not required, you are still legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please send this completed EQIA Screening Tool to [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk) for quality checking by the Fairness and Equality Team.

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Public Health  
222 Upper Street, N1 1XR

Report of: Executive Member for Health and Social Care

Meeting of: Executive

Date: 20<sup>th</sup> July 2023

Ward(s): ALL

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## Subject: Allocation of the Public Health Supplementary Substance Misuse Treatment and Recovery Grant 23-24

### 1. Synopsis

- 1.1. Public Health officers intend to seek Executive approval to allocate £1,014,000 of the council's Supplementary Substance Misuse Treatment and Recovery Grant (SSMTR) to Camden and Islington NHS Trust (provider of the council's integrated substance misuse service) via a Grant Agreement.

### 2. Recommendation

- 2.1. To agree the allocation of £1,014,000 of the council's Supplementary Substance Misuse Treatment and Recovery Grant (SSMTR) to Camden and Islington NHS Trust (the "Trust") via a Grant Agreement

### 3. Background

- 3.1. In December 2021, the Government published a 10- year, national drug strategy [From Harm to Hope](#). The strategy outlines the Government's ambition to develop a world class drug and alcohol treatment system and also includes a number of desired outcomes.

- 3.2. To support local authorities with the delivery of the outcomes outlined in the strategy, every local authority in England has been awarded the Supplementary Substance Misuse Treatment and Recovery Grant (SSMTRG). The grant is awarded by and managed by the Department of Health and Social Care/Office of Health Improvement and Disparities.
- 3.3. The council's SSMTR grant income this financial year is £1,399,416 (including underspend of £44,895 from 22/23). Officers were notified of the grant allocation in late February 2023. Officers subsequently liaised with key delivery partners and grant leads at the Office of Health Improvement and Disparities to agree how the grant could be spent to support the council in achieving the outcomes outlined in the national Drug Strategy.
- 3.4. During the grant spending plan development phase, OHID notified the council that it had been identified as "priority partnership". This essentially means that the council has been nominated as an area where the greatest gains in achieving particular outcomes of the strategy have been identified. These outcomes are: *"increasing the numbers of people accessing substance misuse treatment, and improving the number of people engaging with substance misuse treatment on release from prison"*. Officers were encouraged by OHID Leads to develop interventions to fund from the SSMTRG which would maximise the achievement of those two outcomes.
- 3.5. The total amount officers wish to allocate the Trust is £1,104,000. The remainder of the council's SSMTRG monies has been allocated to Young People's Substance Misuse (£100K), and increasing capacity within the Public Health team to manage the grant (£80K).
- 3.6. The increase in the grant also supports investment in a new, innovative programme called Support When It Matters (SWIM) (£150k). People from African, Caribbean and Dual Heritage backgrounds are over-represented in prison and largely underrepresented in drug and alcohol services. SWIM will proactively reach and support black males who are in/leaving the prison system who are non-opiate users and may not have accessed prison substance misuse services. The programme will support them to access community substance misuse services using culturally sensitive approaches. The end-to-end programme, based on SWIM's successful Prepare, Adjust, Contribute, Thrive (PACT) model for African, Caribbean, and Dual Heritage (ACDH) people in the criminal justice system and/or with mental health issues and substance misuse, will benefit at least 60-70 black men leaving the prison system and comprise:
- In-reach prison surgeries to engage the cohort before their release
  - Meet at the Gate on release by a SWIM support worker

- One-to-one psychosocial interventions as required for each client to stabilise their accommodation, finances, benefits, health and mental health
- Weekly group sessions to explore the personal, societal and cultural influences of substance misuse along with strategies for cessation

- 3.7. A table summarising the 2023/24 spending plan is included as the Appendix.
- 3.8. Allocating the funding to the Trust is the preferred option. The council considered a number of options including undertaking a procurement process, however as the funding is only guaranteed for one financial year, the preferred option is to transfer the grant funding to the Trust. There are a number of reasons for this:
- a. The Trust are already in a position to optimise the achievement of the desired outcomes due to their role with the council providing substance misuse services.
  - b. Timeliness of allocating grant monies and progressing agreed objectives and delivery plan(s) – The funding is available for a very limited period and OHID have been very clear that any unspent grant in 23/24 can be deducted from future grant allocations. The grant spending period began on 1 April 2023. Therefore, it is important that the council can demonstrate that the grant is being spent in full within the financial year. Any further delay to the allocation of the grant will increase the risk of the grant not being fully spent. As detailed above the Trust are in a prime position to begin achieving the required outcomes.
  - c. The Trust are a trusted provider of various health services within Islington including health-related services commissioned by the council. They already have robust partnership arrangements with the key delivery partners to implement the SSMTR funded interventions successfully and effectively.
- 3.9. The council is confident that the Trust will be able to deliver the outcomes by adding additional posts and pathway improvements outlined in the council's delivery plans.
- 3.10. The market has not been tested in respect of this grant and there may be other providers available, however the council is confident that the Trust can utilise the grant efficiently and meet the required outcomes by the end of the financial year 2023/24. Pertinent to consideration of testing the market is the time that this would take, and the likelihood that this could take beyond the end of the financial year meaning the council would fail to achieve the required outcomes.
- 3.11. The agreed grant spending plan includes a large number of additional staff to safely and effectively manage the required increase in people accessing treatment and therefore complement existing services. Some of these additional roles will

be co-located with key delivery partners including the local probation service, in-reach to prisons and police custody suites, co-location with mental health core community teams and increasing in-reach to supported accommodation sites.

- 3.12. The broad outcomes required under the proposed Grant Agreement differ from the existing detailed services agreement between the council and the Trust. Therefore, the council considers it is appropriate to allocate the funding as a grant to the Trust.
- 3.13. A number of options have been considered by officers, including a procurement process, a grant agreement (including advertising the grant) and partnership arrangements. As a grant has been awarded to the council by Central Government it is the preferred option to pass funding on to the Trust in the form of a grant on the clear understanding that the council is not procuring substance misuse services from the Trust.

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. This proposal seeks to transfer £1,014,000 of the council's Supplementary Substance Misuse Treatment and Recovery Grant (SSMTR) to the Trust via a grant agreement.
- 4.1.2. The SSMTR grant is a revenue grant provided from the Office for Health Improvement and Disparities. The SSMTR is a three year grant but allocated on an annual basis. Financial Year 23/24 is the second year of the grant, and the council has been awarded £1,399,416 (including carried forward £44,895 from FY22/23). The remainder of the SSMTR has been fully committed elsewhere. Additional funding will not be provided to any recipients of the SSMTR grant, recipients of SSMTR grant will need to meet the cost of any overspend from their own budgets. The grant will compliment and act as additional funding to existing substance misuse spend, it will not be used to substitute for existing expenditure or for the provision of additional services to be provided on behalf of the council. .
- 4.1.3. The Trust will claim funding quarterly up to a total of £1,014,000. The funding needs to be closely monitored to ensure that the council is compliant with SSMTR conditions, namely the reporting of any underspends for reprofiling.



## 4.2. **Legal Implications**

4.2.1. The decision recommended in paragraph 2.1 of this Report is a Key Decision of the council's Executive to be made in accordance with the council's Constitution, Part 2, Article 13.03.

4.2.2. The council has a duty to deliver specified public health functions, and section 111 of the Local Government Act 1972 can be used to allow the council to discharge its public health substance misuse functions through the allocation of grant funding to the Trust.

4.2.3. There is a risk that the Grant Agreement between the council and the Trust could be considered a services agreement which should have been competitively procured by the council in accordance with the Public Contract Regulations 2015 or which should have been dealt with under those Regulations by modifying the current contract with the Trust. However, the risk of a successful complaint or challenge from the market can be significantly reduced by not imposing obligations on the Trust in the Grant Agreement which amount to service-type obligations.

The Trust does not provide services on the market as it does not charge users for its services. Therefore, the grant to the Trust is not a subsidy for the purposes of the Subsidy Control Act 2022 and the provisions of that Act do not apply.

4.2.4. Legal Officers will assist in the drafting of the necessary Grant Agreement. The grant terms that the council have signed up to under the Memorandum of Understanding between the Secretary of State for Health and Social Care and the council can be used to create a "back-to-back" agreement whereby the obligations on the council in respect of the use of the grant and the liabilities arising from the same are essentially copied over to the Trust.

## 4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

4.3.1. Any implications have been considered and are outside of this report's remit but added into the final report for the Executive.

4.3.2. An EIA has been completed and reviewed and approved by Energy Services.

## 4.4. **Equalities Impact Assessment**

4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act

2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. An Equalities Impact Assessment screening document has been completed and reviewed. The decision was that a full EQIA is not required.

## 5. Conclusion and reasons for recommendations

5.1. It is recommended that £1,014,000 of the council's Supplementary Substance Misuse Treatment and Recovery Grant (SSMTRG) is issued to the Trust via a Grant Agreement.

5.2. Issuing the funding to the Trust in the form of a grant will ensure timely and effective delivery of the required outcomes.

### 5.3. **Appendices:**

- Equalities Impact Assessment – attached.

### **Background papers:**

- None

### **Final report clearance:**

Authorised by:

**Cllr Nurullah Turan, Executive Member for Health and Social Care**

Date: 11.07.2023

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**Appendix:** Summary of SSMTR grant spending plan for 2023/24

Mechanism	Organisation	Description	Value	Comments
Grant Agreement	SWIM Enterprises	Prison Project	£150,000	Grant issued
Grant Agreement	C&I NHS Trust	Various interventions and new staff roles	£1,014,000	Waiting approval for grant
Salary	1.0 WTE PH Strategist  0.5 WTE Contract Support		£80,000	PH Strategist will start on 7 <sup>th</sup> Aug  The CS Officer will be funded 50/50 by SSMTR Grant and RSDAT Grant
Grant Agreement	Community Pharmacies	Nasal Naloxone Project	£20,000	Officers to identify pharmacies to deliver the programme
Substitute	YPSM	2 x additional YPSM workers	£100,000	Substitute requested
Invoice	LBC	Contribution to Criminal Justice Peer Support Project	£35,000	LBC will raise PO and invoice request

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# Equality Impact Assessment: Screening Tool

## Summary of proposal

Name of proposal	Allocation of £1.1m of Islington's Supplementary Substance Misuse Treatment and Recovery Grant to existing service provider (Camden and Islington NHS Trust) via grant agreement and Executive decision.
Reference number (if applicable)	
Service Area	Public Health
Date screening completed	19/06/2023
Screening author name	Lisa Luhman
Fairness and Equality team sign off	Charlton Brown
Authorising Director/Head of Service name	Miriam Bullock

Before completing the EQIA Screening Tool please read the guidance and FAQs. For further help and advice please contact [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk).

# Please provide a summary of the proposal.

Please outline:

- What are the aims/objectives of this proposal?
- Will this deliver any savings?
- What benefits or change will we see from this proposal?
- Which key groups of people or areas of the borough are involved?

## Background

In December 2021, the Government published a 10- year, national drug strategy [From Harm to Hope](#). The strategy outlines the Government's ambition to develop a world class drug and alcohol treatment system and also includes a number of desired outcomes. Every local authority in England has been awarded the Supplementary Substance Misuse Treatment and Recovery Grant (SSMTRG). The grant is awarded by and managed by the Department of Health and Social Care/Office of Health Improvement and Disparities (OHID).

Islington's SSMTR grant income for 2023/24 is £1.3m and officers were notified of the grant allocation in late February 2023. Delivery plans have been developed and approved by OHID. The core objectives are: **increasing the numbers of people accessing substance misuse treatment, and improving the number of people engaging with substance misuse treatment on release from prison.** Delivery plans centre on **increasing service capacity**, i.e. creating and recruiting a substantial number of additional staff.

Many will be co-located with key delivery partners including the local probation service, in-reach to prisons and police custody suites, co-location with mental health core community teams and increasing in-reach to supported accommodation sites.

Officers plan to allocate £1.1m of its total £1.4m SSMTR grant Camden and Islington NHS Trust to deliver this increase in service capacity. (The remaining £300k will be allocated across our young people's service, a prison project, and will fund a strategy role in Public Health).

**Proposal, i.e. decision(s) requested of CMB**

1. Approve issuing £1.1m of funding to the existing provider *as a grant*.
2. Take this decision as an Executive, as opposed to Key, decision.

**Rationale**

1. We are not able to issue funds to the provider through a contract variation. A new contract would require competitive tender process. We do not wish to undergo a competitive tender process: OHID requires us to make substantial progress against our delivery plans and to spend our grant in full within the financial year. In addition, working with our existing provider – with whom we have contracted since 2018 – allows us to make best and most efficient use of existing delivery frameworks and system partnerships. We are therefore seeking approval to issue the funding to the provider as a grant.
  2. A grant of this amount would ordinarily be considered as a Key Decision. The earliest this could be timetabled is Autumn 2023, presenting material risk to our delivery and spending schedule. We are therefore seeking approval as an Executive decision.
- What are the aims/objectives of this proposal?

Allow £1.1m of Islington's £1.4m SSMTR funding to be disbursed to our current service provider as a grant. Achieve sign off of this proposal as an Executive decision.



- Will this deliver any savings?

n/a – this proposal is about disbursement of grant monies we are receiving and must spend within 2023/24.

- What benefits or change will we see from this proposal?

Efficient progress against objectives of the National Drugs Strategy in Islington, i.e. increase the numbers of people accessing drug treatment, and increase the number of people accessing support from custody into the community.

Issuing funds in this way will give Islington the best opportunity to deliver to the timescales OHID DHSC prescribed when issuing the grant funding to the local authority, avoids clawback of funds, enabling us to deliver maximum impact for our residents.

- Which key groups of people or areas of the borough are involved?

Substance misuse support is a universal offer available to any resident with a need. Groups particularly vulnerable to substance misuse include: people experiencing homelessness; people in contact with the criminal justice system; people in or leaving prison. Mental health needs, experience of domestic abuse, being NEET, and identifying as LGBTQIA are also associated with vulnerability. The relationship with financial hardship and deprivation is complex, and people with substance misuse needs often have other social and housing support requirements.

\*Improvements to reach and effectiveness of substance misuse services has the potential to deliver benefits to the wider community and related health, social and VCS services.

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On whom will the proposal impact? Delete as appropriate.

Group of people	Impacted?
Service users	Yes – by issuing funds as a grant via Executive Decision, we are able to progress this work quickly and be assured that we will realise our full grant allocation within the financial year – this will benefit service users.
Residents	No – though improving reach and effectiveness of substance misuse services will deliver broad social benefits to the borough.
Businesses	No
Visitors to Islington	No
Voluntary or community groups	No* (see above for *)

Group of people	Impacted?
Council staff	No*
Trade unions	No
Other public sector organisations	No*
Others	Please specify:

# What consultation or engagement has taken place or is planned?

Please outline:

- Which groups or communities you have consulted/plan to consult
- Methods used/will use to engage (for example, focus groups)
- How insight gained from engagement or consultation has been/will be fed into decision making or proposal design

If you have not completed any engagement activity and do not plan to, you should outline why this decision has been made.

On proposal to issue funds as a grant and to sign this off via Executive decision – we collaborated with / sought advice from: Council colleagues in legal, finance, democratic services, procurement and public health commissioning and governance; OHID; C&I NHS Trust.

We have a long-standing service user group (Islington Clients of Drug and Alcohol Services, ICDAS) who are sighted on the proposals and are a sounding board for the current services and provider. Service user involvement is a core part of our current contract monitoring and approach to service design.

Formal consultation is not required for this award and no consultation has taken place. The grant money was awarded to Islington along with every other local authority in England. The Office of Health Improvement and Disparities (OHID) included a list of interventions that the grant could be used to fund. Officers liaised with key delivery partners and grant leads at the Office of Health Improvement and Disparities to agree how the grant could be spent to support Islington in achieving the outcomes outlined in the national Drug Strategy.

The substance misuse service provided by Camden and Islington NHS Trust already work closely with service users and key partners to ensure the service offer is meeting the needs of service users, this feedback mechanism will be extended to include the interventions funded by the SSMTRG.

## What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

Of the groups you have identified above, please now indicate the likely impact on people with protected characteristics within these groups by checking the relevant box below. Use the following definitions as a guide:

Neutral – The proposal has no impact on people with the identified protected characteristics

Positive – The proposal has a beneficial and desirable impact on people with the identified protected characteristics

Negative – The proposal has a negative and undesirable impact on people with the identified protected characteristics

You should then assess whether the negative impact has a low impact, medium impact or high impact. Consider the level and likelihood of impact. Please also think about whether the proposal is likely to be contentious or perceived as a negative change by certain groups, as this could justify the completion of a full EQIA. See the guidance for help.

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	
Disability (include carers)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	
Race or ethnicity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	Black and Minority Ethnic residents are over represented in the criminal justice system and are under represented in drug treatment. Improving the reach and effectiveness of substance misuse services has the potential to reduce this inequality.

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
Religion or belief (include no faith)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	
Gender and gender reassignment (male, female or non-binary)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	
Maternity or pregnancy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	
Sex and Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	LGBTQIA people may be under represented in treatment services. Improving the reach and effectiveness of substance misuse services has the potential to reduce this inequality.
Marriage or Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	

Protected characteristic	Positive impact	Neutral impact	Negative impact	Description of the impact (if applicable)
Other (e.g. people living in poverty, looked after children, people who are homeless or refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Choose an item.	People experiencing homelessness, prison, mental health needs, historic trauma and other vulnerabilities are at greater risk of having substance misuse needs. Improving the reach and effectiveness of substance misuse services has the potential to reduce this inequality.

## How do you plan to mitigate negative impacts?

Where there are disproportionate impacts on groups with protected characteristics, please outline:

- The other options that were explored before deciding on this proposal and why they were not pursued
- Action that is being taken to mitigate the negative impacts

Action	Lead	Deadline	Comments
N/A			



Action	Lead	Deadline	Comments

Screening Decision	Outcome
Neutral or Positive – no full EQIA needed*.	Yes
Negative – Low Impact – full EQIA at the service director’s discretion*.	No
Negative – Medium or High Impact – must complete a full EQIA.	No
Is a full EQIA required? Service decision:	No

Screening Decision	Outcome
Is a full EQIA required? Fairness and Equality recommendation:	No

\* If a full EQIA is not required, you are still legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please send this completed EQIA Screening Tool to [equalities@islington.gov.uk](mailto:equalities@islington.gov.uk) for quality checking by the Fairness and Equality Team.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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