

STRATEGIC REVIEW OF OVERCROWDING IN ISLINGTON

FINAL REPORT OF THE HOUSING SCRUTINY COMMITTEE

London Borough of Islington
7 November 2023

EXECUTIVE SUMMARY

1. Introduction

The Committee commenced the review in July 2022 with the following aims:

- To establish the extent of overcrowding in homes in Islington in the public and private sector
- To understand the consequences and impacts of overcrowding
- To be informed about best practice and innovative approaches to tackling overcrowding and its impacts
- To produce a strategic review on the overcrowding issues affecting households in Islington
- To assess the impact in the provision of new Islington Council and Housing Association rented accommodation in alleviating overcrowding in Islington

A decision was taken at the committee meeting on 9 May 2023 for the review to continue into the 2023/24 municipal year as the committee had been unable to take crucial evidence from registered social landlords and receive resident feedback.

The review ran from July 2022 until November 2023. Evidence was received from a variety of sources:

Presentations from council officers

- Ian Swift, Islington's Director Housing Needs and Strategy
- Ramesh Logeswaren - Head of Housing Needs
- Helena Stephenson Islington's Head of Housing Partnership
- Alistair Gale, Islington's Assistant Director of Housing, Programming, Design and Customer Care
- Karen Sullivan, Director of Planning and Development.

Documentary evidence

Islington Council and the University College London Overcrowding survey
Partners' overcrowding survey questionnaire
Comparison data from other local authorities

Information from witnesses:

- Tracy Packer, Managing Director (North East London), Peabody Housing Association
- Catherine Kyne, Regional Director, Clarion Housing Association
- Ruth Davison, Chief Executive, Islington and Shoreditch Housing Association (ISHA)
- Fiona Mogre and Serdar Celebi, Islington Law Centre

Scrutiny visit

Visit to Council owned void properties

3. The Committee made a number of recommendations which in the short term seek to ensure that tenants on the Council's housing register are able to move into suitable high-quality accommodation and in the long run seek to address the supply of social housing for residents. These include:

4. **Recommendations:**

- 4.1 Housing Services should undertake a comprehensive tenancy and welfare audit of all its housing stock with a view of identifying overcrowding, under occupiers, and if additional housing support is needed for those in certain circumstances, such as people who have experienced domestic violence etc. This is currently being trialled in Halton Mansions
- 4.2 The Committee recommend that Housing Services rigorously promote issues around existing incentives for under occupiers such as mutual exchanges, and that financial incentives be reviewed. The downsizing scheme should receive a comprehensive review and the outcome of this review be reported to the Housing Scrutiny Committee. The council should also conduct regular sessions/briefings/community drop in sessions to promote downsizing and mutual exchanges to address overcrowding. *(Note: a report to the Housing Scrutiny Committee on the under-occupation scheme is appended to this report).*
- 4.3 The council should review the housing allocation scheme to make sure we are addressing local housing needs as it is clear that there are thousands of people who are living in overcrowded accommodation but not on the housing register.
- 4.4 The Council should consider building larger 4-5 bedroom accommodation through its new build scheme.
- 4.5 The Council should work with the GLA to try and develop /design a scheme that allows local authorities to access funds to purchase large properties to address overcrowding issues. At the moment, there are Government and GLA schemes that supports purchasing properties to accommodate refugees from Afghanistan and Ukraine, but there is no grant available that helps to address overcrowding and rehousing residents.
- 4.6 The council should adopt an overcrowding communication plan across the council that could be used by all departments when working with families experiencing overcrowding. This could include tips and ideas for addressing overcrowding and related issues.
- 4.7 The council should consider reviewing its tall building planning policy, and the circumstances that would allow taller residential buildings to be acceptable, as in the long term there may be a need for these types of property. This would apply to new developments, not just building on existing top of roof tops.

- 4.8 The Council should increase supply of 4 and 5 bedroom properties for families in need of larger homes using all means possible
- 4.9 The Committee welcomes the council's work with the community and voluntary sector in supporting residents in need. The Council should explore opportunities for collaborating more with community groups to promote advocacy services within all communities, to enable all sections of society to benefit from the positive work in this area.
- 4.10 The council should work with the GLA and other partner organisations to explore alternative schemes to incentivise downsizing. For example, expanding the GLA Seaside and Country Homes scheme for those aged over 55.
- 4.11 The Council should work in partnership with RSL's and others to assist in identifying more voids /abandoned homes that could be used to rehouse larger families.
- 4.12 As statutory overcrowding is difficult to address, the Council should lobby government for meaningful action to address overcrowding, and liaise with the GLA on lobbying for redefining the Overcrowding Standards as they are long overdue for a change.
- 4.13 Council should consider how language barriers may hinder under-occupiers from downsizing and engaging in mutual swaps, and consider what support can be made available to address this.
- 4.14 In response to evidence from Islington Law Centre, that many Islington residents experiencing overcrowding do not meet the council's threshold to bid for larger properties, the council should conduct detailed annual analysis for those accommodated through the Choice Based Lettings scheme and then consider amending policies accordingly, to ensure overcrowded households are able to be rehoused through the housing register.
- 4.15 When a void property is a 3, 4 or 5 bedroom property, these properties should be fast tracked through the voids process to ensure they can be re-let as soon as possible.
- 4.16 The council should consider how it can further facilitate "right size" moves on our estates to promote a series of chain lettings, allocating appropriately sized homes to local families in order to increase lettings locally and reduce overcrowding.
- 4.17 During community drop-in sessions the council should regularly seek the views of residents on how to improve services to people who are overcrowded or under-occupying properties. The council should then review policies and procedures in light of this feedback.

- 4.18 The Committee welcomes the council's work to empower residents through the resident empowerment framework. The Council should ask residents for their ideas to help the council to develop new ways of working to address overcrowding. It is important that these resident engagement forums include the views of a diverse range of residents that reflect our local communities.
- 4.19 It is important for the council and key partner organisations design a seamless service offer between Health, Adult Social Care, Housing, and Children's Services to ensure we address overcrowding, damp and mould, education attainment and health improvements holistically. The Council should consider how to further develop joint working between local services to best address these issues.
- 4.20 The council should develop and share data across the council to ensure a holistic approach to supporting residents who are overcrowded. This will help ensure that services are developed using this data and residents are empowered to influence the way we work.

5. Evidence Received

- 5.1 **The Committee received a presentation from Ramesh Logeswaran, Head of Housing Needs on 18 July 2022:**
- 5.2 Overcrowding is categorised as a household needing one additional bedroom and severe overcrowding is when a household requires two or more additional bedrooms.
- 5.3 Overcrowding needs to be tackled as it is associated with increased physical and mental health problems, poorer educational achievement by children, increased risk of infectious or respiratory diseases, increased risk of accidents and fires, reduced stature in children. It is also evident that poor diet and nutrition is higher in people living in overcrowded conditions which can have an impact on family life and relationships which in some instances lead to family breakdown and increased social tensions with neighbours.
- 5.4 Overcrowding may be caused as a result of family size growth with additional children, other wider family members joining the existing household, guardianship orders and foster arrangements etc.
- 5.5 Housing Needs supports families in overcrowded households, providing advice on mutual exchanges as one of the best ways for tenants to alleviate their overcrowding irrespective of housing points awarded. Advice is provided on how to prevent damp and mould formation as well as support to rent storage space from the council and to manage energy costs.
- 5.6 For severely overcrowded tenants, the service can arrange for the provision of space saving furniture to alleviate the effects of severe overcrowding, undertake home visits with tenants to signpost tenants to other services e.g. Social Care, Bright Spark, SHINE, Property Services (re repairs).
- 5.7 Advice is also provided on bidding, local letting schemes and mutual exchanges.
- 5.8 The Service supports downsizers to move to create voids, in particular offer personalised service to support tenants who are typically vulnerable through the process of downsizing. This generally comprises advanced identification of properties and joint viewings with tenants.

- 5.9 To promote downsizing, there is also support with financial incentives for each room 'released', support to access a decoration allowance, moving support, utilities re-connections etc.
- 5.10 Mutual exchanges is a great way for residents to downsize, thereby releasing their larger home for a larger household. Housing Needs support tenants who wish to exchange properties with another social housing tenant and this is a joint exercise between Housing Needs and Homes and Communities.
- 5.11 Within Housing Needs, officers advise residents on how to register online for the service and explain how tenants can entice others registered looking to move. There are also incentive provisions around decorative/white goods, what is referred to as 'works in occupation'.
- 5.12 In terms of performance, the meeting was advised that the Service was unable to meet its target of assisting both overcrowded families and underoccupiers move into appropriate or suitable housing, however it met its target for moving households into appropriate housing via mutual exchange.
- 5.13 The demand for social housing is on the rise due to high rents in the private sector, 2922 households approached the council for advice during 2021/22 financial year.
- 5.14 In June 2022, 907 households live in temporary accommodation, of which 472 households are living in private sector accommodation. As of April 2022, 15,402 households are on the housing register.
- 5.15 In 2021/22 financial year, the council let 829 LBI (Islington Council) properties and 193 Housing Association properties totalling 1022 properties.
- 5.16 The meeting was advised that in 2021/22, 30% of lettings were social housing tenants moving home, 36% to homeless households and 34% are to households on the Council waiting list.
- 5.17 Members were informed of the budgetary pressures on the Housing General Fund with the result that the Service will need to significantly reduce the number of households in private sector temporary accommodation to below 300.
- 5.18 With regards to the 39 Islington Council New builds in 2021/22, the meeting was advised that 9(23%) allocated to downsizers, 8(21%) to tenants seeking a transfer from their existing homes, 11(28%) were for like for like transfers and not regarded as overcrowded and 11(28%) were let to applicants on the housing register.
- 5.19 With the 28 Social housing transfers, multiple chain of moves were progressed leading to households in housing need being placed in suitable homes and this comprises of both overcrowded and severely overcrowded families, homeless families, downsizers, tenants with significant health and welfare issues, domestic abuse survivors, new generation scheme and care leavers.
- 5.20 In the case of the 16 Housing Association new builds, 5 were let to waiting list cases, 8 were for overcrowded of which 2 were severely overcrowded, 1 for welfare/medical, 1 for medical/wheelchair need and 1 for downsizer.

6. **Helena Stephenson, Islington's Head of Housing Partnerships highlighted a number of issues of overcrowding from the tenants perspective and they include-**

- 6.1 1,396 LBI Overcrowded tenants are registered for rehousing due to fire safety concerns, noise and anti-social behaviour complaints and other wellbeing and safeguarding issues. Another reason for seeking to move is related to damp and mould and additional 'wear and tear' repairs.
- 6.2 A Fire Risk Assessment programme is undertaken to address items left in communal areas and associated fire safety advice which promotes storage solutions is provided.
- 6.3 A suggestion to include as part of the review exercise community groups such as the Somali Welfare Centre was noted. Officers were advised to contact GLA about the Seaside and Community Homes Schemes which provides social housing for over 55's.
- 6.4 The Director acknowledged that overcrowding is a national crisis and as the private sector is unable to meet high demand for housing there will always be instances of overcrowding in households and only building more homes will address this issue.
- 6.5 On the issue of living rooms being designated as a bedroom, the Director noted that legislation dates back to 1950's and successive governments have not passed a new legislation.
- 6.6 With regards to abandoned properties, the meeting was advised that the Council will have to investigate the circumstances first as in some cases tenants may be admitted to hospital temporarily or Nursing homes, after which the property can then placed into void status.
- 6.7 On the issue of language being a barrier for tenants interested in mutual swaps, the meeting was advised that the Council has a team in place and information is available online.
- 6.8 The meeting was informed that the Service works with its housing partners to address overcrowding and especially in identifying voids.

7.0 On 20th November 2022 Fiona Mogre and Serdar Celebi of the Islington Law Centre highlighted a number of case studies to demonstrate the severity and complexity of overcrowding which comes to attention of the Centre and they include:

- 7.1 Islington Law Centre provides a range of advice and assistance to Islington residents regarding their housing needs and runs two outreach projects in partnership with Islington Council to provide accessible housing advice to residents.
- 7.2 A significant number of enquiries relate to residents seeking to be moved to more appropriate accommodation due to overcrowding.
- 7.3 Islington Council uses a choice based letting scheme, with points awarded to residents based upon their circumstances which is in line with the Council's Housing Allocation Scheme.
- 7.4 Most Islington residents do not meet the average threshold of points to successfully bid for a larger property and experience shows that residents living in severely overcrowded conditions are highly unlikely to successfully bid for size appropriate accommodation.
- 7.5 Allocation schemes are required under the Housing Act 1996 to be framed to secure that reasonable preference is given to overcrowded households.

- 7.6 It was noted that households with opposite sex type of overcrowding only acquire 10points.
- 7.7 Overcrowding alone is unlikely to result in the tenant having sufficient points to be able to bid for and move to larger accommodation.
- 7.8 Presently Council literature states that to bid for 2 bedroom a tenant will require 226 points, 252 points for a 3 bedroom and 289 points for a 4 bedroom.
- 7.9 In the 2 typical overcrowding cases shared with Committee, it was noted the difficulty for tenants bidding for a suitably sized property, given that more points were required, for instance in the case of a secure tenant living with his wife and 3 children in a 1 bedroom property with 190 points, they would require 252 points.
- 7.10 Additional points would be required to improve the chances of bidding by tenants like medical problem, a welfare/social issue/a disrepair /decant issues, harassment/ASB from a neighbour.
- 7.11 In most cases seen by the Law centre, tenants rarely have additional issues that will attract additional points besides overcrowding concerns, so little prospect of them moving on to bigger and suitable accommodation.
- 7.12 It was noted that lack of available larger properties especially 4 plus bedrooms remains a big issue, that there is a recognition the need for more joined up working between Housing Options, Social services and the Disrepair team. Members were advised that even if medical and welfare points are awarded, larger households with disabled members seeking to move to more size appropriate accommodation it is virtually impossible to obtain rehousing through the Housing Allocation Scheme.
- 7.13 The availability of larger properties is very much limited and highly sought after leaving families stuck in unsuitable and severally overcrowded conditions indefinitely.
- 7.14 Condensation in severally overcrowded accommodation is common, however recognised with an award of welfare points only after the Centre intervenes on behalf of their clients as most times when tenants complain about condensation they are sometimes wrongly informed that this is not something for which rehousing points could be awarded but a disrepair issue.

8.0 In terms of overcrowding enforcement in the private rented sector, Godwin Omogbehin, Islington’s Environmental Health Manager stated the following points :

- 8.1 Relatively few households are assessed as statutorily overcrowded as the legislation in existence does not meet the criteria for overcrowding as standards are very low and prescriptive, outdated and does not reflect modern day standards, that space and room standards are not used by Residential Teams to enforce overcrowding.
- 8.2 Local Authority’s regulatory teams have been advised to use their powers under Part 1 of the Housing Act 2004 and follow the Enforcement Guidance rather than Part 10 of Housing Act 1985.
- 8.3 The meeting was advised that local authorities need to consider meeting its statutory duties versus it’s duty to rehouse occupiers, an understanding of

- homelessness implications and compensation, clarifying enforcement options under Housing Act via the Most Appropriate Course of Action (MACA).
- 8.4 It was noted that due to lack of housing stock, it is difficult to serve notices as reasons would need to be provided.
- 8.5 Powers available under Part 1 Housing Act 2004 and notices served include issuing landlords Hazard Awareness Notice, Improvement Notice, Prohibition Orders, Suspension of Prohibition Order's which is most commonly used power for crowding and space hazard), Emergency Action.
- 8.6 It was noted that although HHSRS can be used, there are more specific regulations under HMO Licence conditions which limits occupation levels, the HMO standards which regulates HMO space standards.
- 8.7 In addition to the above, specific powers exist for overcrowding in non-licensable HMO's, that notices can be issued where a non-licensable HMO is likely to be overcrowded and that maximum levels of occupancy can be set for overcrowding and authorities can impose a civil penalty as an alternative to prosecution for offences (in both dwellings and HMO's).
- 8.8 Failure to comply with HMO licence conditions (over occupation for example), offences can attract an unlimited fine or penalty of up to £30k.
- 8.9 The meeting was informed that 5 x overcrowding notices (non-licensable HMO's), 5x PO's for overcrowding in SFO's, 2x Hazard Awareness Notices in SFO's have been issued and in terms Selective Licensing Schemes (SFO's), 952 applications were received while 2647 applications have been received for HMO Licensing.
- 8.10 The meeting was advised that serving of a SPO will not entitle the tenants to any additional points under the council's system and is not likely to speed up any re-housing claim.
- 8.11 The Housing Service assess applications according to their housing allocation policy.
- 8.12 On the issue of extending the Licensing scheme beyond the Finsbury ward into other wards, meeting was advised that although public consultation closed in March 2022, the second phase which is the designation stage is yet to be finalised.
- 8.13 On whether the Council's Planning Department has powers in addressing the increasing demand for 3/4/5 bedroom homes, the meeting was advised that this is being handled via the Council's new build programme. In addition to above, Council officers continue to liaise with GLA to access funds to purchase 3 and 4 bedroom dwellings.
- 8.14 On the role of planning department in terms of addressing overcrowding in the borough, Committee requested an invitation be extended to an officer in the department to give evidence to committee.
- 8.15 With regards to the Council's Allocation Scheme, the meeting was advised that the item will be scheduled for members input at the November meeting
- 8.16 Concerns that tinkering with the Allocation scheme will not address the overcrowding, that the main issue lies with the lack of suitable type of housing, and that the Council should be looking at other solutions, was noted.
- 8.17 In response to a suggestion by a member, that issues of overcrowding should be considered in parallel with residents that want to downsize, the Director informed the meeting that in the last 12 months over 200 households have

downsized, noting its success. Issues around downsizing will be considered at a future meeting.

- 8.18 On the suggestion of finding suitable accommodation for overcrowded households outside the borough, the meeting was advised that most are secure tenants and have the right to remain due to family ties, schools and medical reasons, that the refreshing of the Allocation Scheme aims to address this issue.
- 8.19 In response to a question raised by the Community Plan for Holloway, the Director reminded the meeting of the local letting scheme agreed for the Holloway site.
- 8.20 It was commented that the Council builds the right type of housing, noting that Islington is a dense urban area with limited land that makes development difficult. In addition, the funding mechanism from central government had worsened the housing crisis; Islington Council like other authorities was awaiting an autumn announcement which may address the funding gap.
- 8.21 A suggestion that Council should not be averse to building more tower blocks, instead of its preference of demolishing estates and building on such sites single dwellings, town houses and apartments, was noted.
- 8.22 Islington's initiative in addressing the issue of under occupiers had been a lot more successful in comparison to the neighbouring authority of Hackney.
- 8.23 The housing crisis is not unique to Islington but a national one and factors such as lack of funding from both central and local government over many years have worsened the housing crisis.

9.0 **On 3rd November 2022, Tracy Packer, Managing Director for North East London, Peabody Housing Association provided evidence on its management of overcrowding issues. The following points were highlighted:**

- 9.1 Peabody has 5,500 homes across the borough with the majority being let at social rent, that currently 382 Peabody households in Islington have applied to move because of overcrowding and this would include households who have a need to move for other reasons such as medical/health needs, welfare and those fleeing domestic violence.
- 9.2 Peabody provides support to residents throughout the move process however, the number of empty homes available is limited and the wait can be lengthy.
- 9.3 In the year 2021/22 only 14 x larger homes became available in the borough (3/4 bed).
- 9.4 The number of lettings completed is driven by the availability of homes, that Peabody completed 115 lettings in 2021/22, however majority of these lettings were for 1 and 2 bed homes and that empty homes are let through working in partnership with LBI via nomination's agreement.
- 9.5 LBI receives 100% nomination rights of all 1st lets (new homes), 50% of studio/1bedroom relets and 75% of 2 bedroom or larger relets and that Peabody residents who have requested a move are considered when a relet becomes available and a priority move list for those in most need.
- 9.6 Move applicants are assessed based on need and are prioritised, that those overcrowded by 2 or more bedrooms are in the B4 priority band, those in an under-occupying household who wish to move are given a C1 priority

- band enabling Peabody's larger homes to be allocated to more suitably sized households.
- 9.7 Presently of the current households requesting to move because of overcrowding, 32% are in the B4 priority band needing 2 or more further bedrooms with 68% in need of 1 further bedroom.
 - 9.8 Peabody offers a number of solutions and mitigations to address overcrowding for households requesting a move, whether in a priority band or not, and are supported through the bidding process however where there is long waiting times further support is provided.
 - 9.9 Peabody promotes mutual exchange for its tenants, provide advice and guidance on the opportunities that a mutual exchange can bring and make it easier to engage with the process. This includes providing information in multiple languages.
 - 9.10 1-2-1 advice sessions is also available where in-house experts in rehousing offer support in finding alternative accommodation through other tenures such as shared ownership, market rent and potential moves to areas with lower housing demand. Members were reminded that this option is customer led and possible options will depend on customer requirements.
 - 9.11 Home visits to residents is undertaken and provides support such as offering possible space saving furniture to alleviate some shared sleeping arrangements. Also in light of the ongoing living costs concerns Peabody officers offer advice to help manage energy costs and other costs of living.
 - 9.12 Peabody takes a broad view on other actions to help alleviate overcrowding, by offering incentives such as financial incentives in the form of providing decoration allowance for residents who want to move and assist with moving for those willing or wanting to downsize. Peabody is interested in the support and promotions for downsizers being led by LBI.
 - 9.13 Peabody also takes a flexible approach, for example in a case of 2 residents, mother and daughter both living in different 3-bed homes on the same street and elderly mother requiring care, a request received from her adult daughter for them to move in together as joint tenants, clearly created a vacancy of a 3 bed home.
 - 9.14 Residents in need of a home with 3+ bedrooms are able to bid for a home with one fewer bedroom even if this results in a low level of overcrowding.
 - 9.15 Peabody's 'Next Steps' scheme, offers households overcrowded by 2 or more bedrooms with household members who are 21+ having grown up there as their principal home, will be considered for moving to a 1 bed accommodation.
 - 9.16 Peabody aims to use its housing stock in the most effective way to meet housing need, actively support tenants requesting a move to assist in finding the option that will work best for them. The lack of larger homes means waiting times for a move can be lengthy.
 - 9.17 With regards to nomination rights for the Holloway Prison site which recently was granted planning permission for social housing, the meeting was advised that Islington Council has 50% for 1 bedroom and 75% for 2 bed while the rest is for Peabody residents.
 - 9.18 Any decision to sell or dispose of any property within Peabody's portfolio is not taken lightly and each case is assessed in terms of its cost in restoring the

property to a decent standard, cost of maintenance over a long period and the condition of the property. The Managing Director assured the meeting that selling of properties only occurs in very small instances, noting that over the next few years Peabody will be building new social housing on the Holloway site.

- 9.19 On the fire safety concerns which resulted in residents of Merry Mews being moved into temporary accommodation while being resolved, the Managing Director acknowledged that lessons had been taken on board going forward by both Peabody and the builders/developers.
- 9.20 There is a recognition that the offer of shared ownership to social housing tenants and its affordability as a means of addressing overcrowding was not ideal but was an option for those interested.
- 9.21 On the financial incentives for those willing to downsize, the meeting was advised that besides the decoration allowance and assistance with moving, Peabody are having ongoing conversation on what more can be done on this issue.
- 9.22 On the question of compensation for affected tenants being moved into temporary accommodation, the meeting was advised that tenants receive subsistence allowance which is paid in advance and also cover taxi fares, noting that figures can be provided. Peabody engages in individual arrangements with tenants and not necessarily offer a standard amount.

10.0 On 1st December 2022, Committee received a presentation from Alistair Gale, Islington's Assistant Director of Housing, Programming, Design and Customer Care on how its programme of building new homes help alleviate the shortage of housing especially in the context of overcrowding concerns. The following points were highlighted:

- 10.1 There is a desperate shortage of genuinely affordable homes, to which the Council has embarked on its biggest council-house building programme in the borough for a generation, which aims to meet the needs of residents.
- 10.2 Local council tenants have priority for new council homes through the Council's Local Lettings Policy and that New council homes are under construction at 12 different locations across the borough, that presently 750 new council homes have either been completed or under construction for the period 2023-27.
- 10.3 The new homes could be used to move a growing family into a larger home or downsizing an older person into ground floor, accessible housing.
- 10.4 371 council tenants are currently registered for a housing transfer who are under-occupying their current home and it is estimated that there could be 3000 tenants who under-occupy their current home who are not registered for a housing transfer.
- 10.5 In terms of New build delivery, the meeting was advised that of the new council homes completed, 77% are 2+ bedrooms, 27% 3+ bedrooms and the rest one bedrooms.
- 10.6 The meeting was informed that presently 257 new council homes are under construction.
- 10.7 In tracking housing needs trends, it was acknowledged that these change over time e.g. wheelchair accessible housing need is now for 3 and 4 bed properties, which the Council tries to accommodate in its pipeline programme.

- 10.8 Residents feedback is important and taken on board. The meeting was advised that although residents may not be on the transfer list waiting to downsize, they might be encouraged if there is an opportunity to move into a smaller, attractive, energy efficient and high quality new build home
- 10.9 Islington is a dense urban borough, any infill housing on existing estates requires carefully considered design to optimise the available land without over-densification and some sites are not suitable/appropriate for houses such as undercroft garages/roof top developments.
- 10.10 Dover Court was highlighted as an example of a typical large infill project which delivered 57 new council homes for 197 local people, 16 of which were 3 bedroom houses, 2 x 5 bedroom houses and 1 ground floor wheelchair accessible 5 bedroom home. The scheme has been built across under-used parts of the estate, including replacing derelict garages and a block of old bedsits.
- 10.11 Members were advised that 8 new homes were allocated to local residents downsizing, 18 new homes were allocated to families from overcrowded accommodation, an example of replacing low quality existing accommodation and optimising the available land for family-sized homes and that occupants from the bedsit block were rehoused into a new over-55s block, which also encouraged others to downsize.
- 10.12 Households who meet the bidding threshold will be able to bid for the new homes before anyone else in the borough.
- 10.13 The applicant bidding with the highest number of points, subject to matching the size and any other characteristics of the property in question, will be offered the property first.
- 10.14 Wheelchair adapted properties will be restricted to applicants who require such properties.
- 10.15 Ground floor properties will be restricted to applicants with an assessed need for ground floor accommodation.
- 10.16 Brownfield sites for the council to acquire to build social housing in the borough is extremely scarce. In the case of Parkhurst Road site, the meeting was advised that freehold is not owned by council, has been recently challenged in the courts, noting that the council has been able to ensure that going forward if developers were to build homes on the site they would have to meet the councils criteria on provision of social housing.
- 10.17 Although Council is considering other options beyond building new homes on garages, however due to affordability of land, the council is reliant on building social housing on its own land.
- 10.18 With regards to downsizing, the meeting was advised that the process is customer led, that the council does not force any of its residents to move into smaller homes.
- 10.19 On whether council is building the right type of properties and in the right location and if data used to ascertain housing needs is up to date, the manager advised that at the early stage of feasibility, the new build team considers existing data from colleagues in the housing needs team who have information on live transfer request, the ages of children across the estate etc, essential information which helps to determine what type of housing is needed , it's mix and in what location. Also council's regular engagement with resident is valuable in assessing housing requirements.

- 10.20 The Director acknowledged the difficulty of building social homes in the borough, that it is difficult to get a perfect fit in terms of housing mix, which is not the case with outer London boroughs where land is not an issue, as Islington is constrained and is a dense urban environment, factors which determines the type of mix of housing being built on individual schemes.
- 10.21 On the 188 void properties in the borough and why it has not brought back to use, the meeting was advised that officers will provide and circulate reasons to committee on why it has not put back onto the housing stock, noting that some of the properties are likely to be properties that were brought back in house following the end of PFI 2.
- 10.22 On a suggestion that cases such as Parkview Estate which received planning permission for 2 x 2 bedrooms and 38 x 1 bedroom, and then subsequently received funds from GLA should have been revisited by the Planning Committee, the officer advised that S73 is not applicable to minor amendments as this would be a change in the description of the scheme, that it could not be used to change the number of dwellings of the scheme.
- 10.23 The Executive Member acknowledged that going forward the council would look to revisit schemes like the Parkview Estate in terms of housing mix however in this instance there was a GLA funding deadline that required planning permission.

11.0 Karen Sullivan, Director of Planning and Development on 13 March 2023 gave evidence on overcrowding and planning policy. The following points were highlighted:

- 11.1 Planning permission has been secured for 1,112 genuinely affordable homes across four sites i.e. Holloway Prison, Barnsbury Estate, Vorley Road and Mount Pleasant. This includes 896 homes for social rent (including 60 extra care homes) and 216 homes for shared ownership.
- 11.2 291 new homes for social rent will replace homes demolished on the Barnsbury Estate and provide better quality homes for the local residents and address overcrowding across the Estate.
- 11.3 Following negotiation with developers, 55 homes for social rent will now be delivered on the Mount Pleasant site considering that the previous planning permission did not secure any homes for social rent (all consented at 'affordable rent').
- 11.4 The Director acknowledged that construction on the Parkhurst Road site (TRA site) is also underway, delivering 50% affordable housing including 41 homes for social rent, noting that the former landowners originally proposed zero affordable housing, that this in general is viewed as a landmark legal case setting national policy.
- 11.5 In addition to CIL and s106 payments, the meeting was advised of the significance of small Sites Contributions, that the Council has received over £50m, £40m which has now been allocated to the New Builds team to build affordable homes. Members were reminded that small site contributions are not subject to the same restrictions that apply when Council receives grant to build homes, which is to be welcomed.

- 11.6 In terms of annual targets, the meeting was advised that 775 new homes is to be built in the borough, which is based on very detailed and rigorous analysis of site availability and when sites are likely to come forward.
- 11.7 The aim of the Council is to ensure that at least 50% of new homes is to be genuinely affordable (70% social rent and 30% intermediate i.e. London Living Rent or shared ownership).
- 11.8 The Director acknowledged that concerns exist on the affordability of intermediate tenure, noting that no intermediate housing is planned for the Barnsbury Estate.
- 11.9 Islington's Local Plan and policies on affordable housing exceeds London Plan policies with regards to provision of affordable, that a balancing act is required between providing good quality homes versus quantity of homes.
- 11.10 Council planning policies provide guidance on space standards and the size of new homes (number of bedrooms). Members were advised that the Planning department are regularly involved in detailed negotiations with colleagues in Housing Needs on each site to ensure that the size of the new homes reflects ward level demand.
- 11.11 The Director stated that the borough is already densely developed with low levels of developable land and that any developable sites tend to be constrained.
- 11.12 The Council considers the quality of life (amenity) for future residents vital, for example on issues such as space standards; sunlight and daylight in homes and open spaces; aspect, ventilation and overheating; privacy and overlooking; outdoor space; and play space, that these factors often compete with one another.
- 11.13 On providing affordable homes in Tall Buildings, the meeting was reminded that although Islington Planning policies as set out in the Local Plan and London Plan do restrict tall buildings (above 30 metres) some sites that are allocated for tall buildings.
- 11.14 A number of considerations regarding tall buildings, that Planning policies require exceptional design, to ensure that these buildings have an acceptable impact on the local microclimate (e.g. wind and overshadowing of surrounding buildings and open spaces); bio-diversity; streetscape; townscape; heritage; and views.
- 11.15 The Director informed the Committee of exceptions to Islington Tall Buildings policy, that recently the Planning Committee granted planning consent on housing sites which were not allocated for tall buildings for example the Holloway Prison site and the Barnsbury Estate, that in both cases, the harm caused by the tall building (s) was considered to be outweighed by public benefits including the delivery of genuinely affordable housing. Vorley Road site has also allocated been allocated for a tall building.
- 11.16 It was noted that construction costs and viability have been a factor in not providing affordable homes in tall buildings as there is the view that costs tend to increase for buildings over 18m tall.
- 11.17 Another factor has been resident's attitudes to tall buildings and the difficulty of letting them out especially as not all parts of tall buildings may be suitable , for example families and disabled and older people.
- 11.18 A number of challenges regarding delivery of affordable homes which are not unique to Islington but nationally recognised include the adoption of Local Plan and First Homes policy and the government's ongoing review of its policies on

the Community Infrastructure Levy (CIL) which will introduce an entirely different approach to securing affordable housing on sites that are not owned by the council.

- 11.19 Land in Islington is mostly public owned with very limited private owned land. In addition to the above challenges, the emerging GLA and Government approach to the fire safety of tall residential buildings is creating uncertainty and in general the prevailing uncertainty within the wider housing market.
- 11.20 In terms of opportunities, the Director informed the meeting that Planning Officers are in continuous discussions with the New Build Team so as to bring forward affordable housing on council owned sites such as the Finsbury Leisure Centre.
- 11.21 Officers are also in regular discussions with external landowners to bring forward development on sites that are not owned by the council for example Archway Campus site with potentially up to 100 new genuinely affordable homes being built.
- 11.22 The Council is in proactive discussions with owners of residential sites in the Borough encouraging them to come forward with schemes (including private landowners, RPs and the Corporation of the City of London).
- 11.23 Planning Officers are also encouraging the use of new architectural practices to test innovative approaches to address density.
- 11.24 Council will be reviewing the restrictive approach on roof extensions in conservation areas as part of planning powers, the Director acknowledged the ongoing communication with the resident on this issue, that his representation will be taken on board when the Local Plan is adopted and the supplementary planning documents have been reviewed. In addition to the above the Director acknowledged that presently there is no policy from the government regarding mansard extension, that this is presently out for public consultation.
- 11.25 In response to a question about the high maintenance cost of tall buildings in order to bring it to decent homes standard, the meeting was advised that tall buildings come with a range of challenges, some as a result of its initial design which is historical, however this will not be the case with the newly designed tall buildings.
- 11.26 On the request for average service charges on the different buildings, the Director indicated that this information could be made available.
- 11.27 Clarifying the issues of social housing and affordable homes, the Director acknowledged that the different tenures can be challenging, that anyone in council owned properties is in affordable housing and paying rent that is set according to the National formula. In the case of intermediate, housing is targeted at those not eligible for council housing and unable to meet the market rent, primarily for those with household income of up to £90,000.
- 11.28 The meeting was advised that the Council recognises tenures like shared ownership and London Living rent (a bit complicated as it is targeted on those with middle incomes which is based on a ward by ward basis, a formula defined by a formula on income of people living in the ward). The Director noted that the London Affordable rent is not acceptable by Islington Council as it is a form of rent of up to 80% of market rent as it is exceedingly high.

- 11.29 The priority for the planning team is social rent housing which is reflected in the recently consented schemes, that there is no intermediate tenure provided in the Barnsbury scheme.
- 11.30 With regards to the Council's target of 775 homes, the Director acknowledged that sites have been identified, that the plan is going through a rigorous assessment with an independent expert.
- 11.31 A member welcomed the suggestion that architectural design of council homes will be community led but had concerns with tall buildings as the way forward in light of the Grenfell incident some years ago.
- 11.32 A member welcomed tall buildings in so far as the design is of high quality and safe guards relating to fire safety are taken into consideration. The Executive Member advised that presently to the south of the borough, there are a number of high rise buildings, that the overriding factor at the moment is how to address the increasing number of people on the housing register which needs to be reduced.
- 11.33 On the issue of fire safety, meeting was advised that although all local authorities are awaiting the outcome of the governments consultation on building regulation, the GLA in the interim has now introduced in its planning process a stage 2 level which states that any building above 30m will require a second stair case to address safety concerns.
- 11.34 The Director reiterated that Islington is not against tall buildings being built as long as they are sited in the right place and meet the tall building policies.
- 11.35 The meeting was advised that as at February 2023, the Council has 11 projects on site being constructed with 3 due to be completed in the next 3 weeks delivering 75 new council homes. A further 83 new homes are planned to be completed during the end of 2023/24 year.
- 11.36 In terms of monitoring of council homes and benchmarking with other neighbouring authorities, the Director advised that some data will be put together and brought to committee at a later date, that nothing exists nationally.
- 11.37 GLA, the Mayor of London and the Department for Levelling Up, Homes and Communities all have separate registers which is primarily to track funding and not pertaining to the actual delivery of social housing. Officers will provide the Committee with some in-house work carried out by Islington officers and some comparison data from other London boroughs at a future meeting which will enable members the opportunity to scrutinise the Council's delivery of social housing.
- 11.38 The Chair reiterated that Committee is looking at overcrowding and how to address it, that it is important for members to narrow down the exact number of homes being built specifically council social rented homes and not housing association dwellings.
- 11.39 In response the Director stated that the Council target of direct delivery of 550 new homes by 2023 has been substantially met, that a further target of 750 homes is being proposed for 2026-2027 financial year which fits into the earlier projections stated by the Director of Planning in her presentation.

12.0 The Committee considered the Draft Allocation Scheme Policy, that was subject to public consultation

- 12.1 76% of residents in the Council housing stock and 86% in Partners managed properties were in favour of the changes to the scheme.
- 12.2 On the question regarding the new generation scheme and whether anyone whose parents own properties would be part of the scheme, the Director advised that nothing has been agreed and all feedback was welcome.
- 12.3 On the household total income figures provided in the proposed scheme, the meeting was advised that figures are from the GLA threshold used for low cost home ownership and intermediate rental scheme.
- 12.4 The online consultation exercise was an opportunity for all to participate and all feedback was welcomed. It was not guaranteed that all suggestions would be incorporated into the scheme, but it would be developed through an open and transparent process.

13.0 Findings -

- 13.1 Islington has significant levels of housing need in the borough.
- 13.2 The Committee agreed that a tenancy audit needed to be undertaken as a first step by the Council in its resolve to address overcrowding.
- 13.3 Incentives offered to residents especially for under occupiers would need to be more attractive so as to release accommodation for large households
- 13.4 The draft housing allocation scheme was being considered by Executive and its role in addressing the requirements of households living in overcrowded social housing is essential.
- 13.5 The definition of statutory overcrowding needs to be revisited as it is not fit for purpose.
- 13.6 There is a shortage of 4 and 5 bedroom properties for larger families in the borough
- 13.7 Supply of land is an issue and its acquisition is expensive, so the council should consider options such as building homes outside the borough.
- 13.8 The Council's planning policy regarding tall buildings needs to be reviewed in the long term as this will address shortage of social housing and overcrowding.
- 13.9 The demand for social housing from private renters is high, caused by increasing cost of living, interest rate hikes and welfare reforms introduced by the government.
- 13.10 That benchmarking data with other neighbouring authorities is challenging, as there is no single source which provides accurate comparison and the two sources provided to committee were from GLA Housing Starts and Completions and DLUHC.
- 13.11 Households from minority ethnic backgrounds are three times as likely to be affected by overcrowding than white households.
- 13.12 In terms of performances against the target of 550 over the 2018-2022 period, Council delivered a total of 527 new council homes (combined starts and completions).

14. Conclusions

The Committee commended the ongoing work of the Council in addressing overcrowding in its housing stock, acknowledging the shortage of 3- 5 bedroom properties to rehouse larger households. Members noted that some of the recommendations as a result of the review will help to address overcrowding in the short term, however the Council will need to consider innovative ways and working in partnership with other stakeholders to build new social housing.

APPENDIX A

MEMBERSHIP OF THE HOUSING SCRUTINY COMMITTEE 2022/23

Councillors:

Jason Jackson
Marian Spall
Valerie Bossman-Quarshie
Ilkay Cinko-Oner
Mick Gilgunn
Benali Hamdache
Michael O'Sullivan
Rosaline Ogunro
Rose Marie McDonald – Resident Observer
Dean Donaghy – Resident Observer

Substitute Councillors:

Jilani Chowdhury
Phil Graham
Ernestas Jegorovas-Armstrong
Ben Mackmurdie

MEMBERSHIP OF THE HOUSING SCRUTINY COMMITTEE 2023/24

Councillors:

Jason Jackson
Ilkay Cinko-Oner
Valerie Bossman-Quarshie
Gulcin Ozdemir
Mick Gilgunn
Ernestas Jegorovas-Armstrong
Michael O'Sullivan
Phil Graham
Rose Marie McDonald – Resident Observer
Dean Donaghy – Resident Observer

Substitute Councillors:

Jilani Chowdhury
Ben Mackmurdie
Heather Staff
Rosaline Ogunro

Acknowledgements:

The Committee would like to thank all the witnesses who gave evidence to the review.

Officer Support:

Ian Swift – Director of Housing Needs and Strategy

Ramesh Logeswaran- Head of Housing Needs

Helena Stephenson – Head of Housing Partnerships

Godwin Omogbehin – Environmental Health Manager

Alistair Gale - Assistant Director of Housing, Programming, Design and Customer Care

Karen Sullivan – Director of Planning and Development

Ola Adeoye– Democratic Services

APPENDIX B

SCRUTINY REVIEW INITIATION DOCUMENT (SID)

Review: Strategic Review of Overcrowding in Islington

Scrutiny Review Committee: Housing Scrutiny Committee

Director leading the review: Ian Swift – Director of Housing Needs and Strategy

Lead Officers:

- Ramesh Logeswaran Housing Needs and Strategy
- Ian Swift Housing Needs and Strategy
- Godwin Omogbehin Environmental Health
- Helena Stephenson Homes and Community Safety

Overall aim:

To establish the extent of overcrowding in homes in Islington in the public and private sector

To understand the consequences and impacts of overcrowding

To be informed about best practice and innovative approaches to tackling overcrowding and its impacts

To produce a strategic review on the overcrowding issues affecting households in Islington

To assess the impact in the provision of new Islington Council and Housing Association rented accommodation in alleviating overcrowding in Islington

Objectives of the review:

- To highlight the impact of overcrowding on Islington's residents
- To ensure Islington Council follows or establishes national best practice to improve the life chances of our residents living in overcrowded circumstances
- To ensure that homes are safe and healthy
- To place residents at the centre of this strategic review
- To understand and develop levers to reduce overcrowding in Islington
- To liaise with the Department for Levelling Up, Housing and Communities to modernise the legislative approach towards overcrowding following the outcome of this strategic review

How is the review to be carried out:

Scope of the review

The review will be conducted in writing reports, taking evidence from external organisations, and analysing data to focus on:

Understanding the scale of overcrowding and the impacts of overcrowding on residents' health, education attainment, well-being, housing conditions, safety, and the wider impact on the community

Making recommendations to ensure Islington adopts best practice approaches following the data analytics, benchmarking, evidence from partners and engagement with residents

Assessing the type of new build rented accommodation locally and the subsequent lettings of

these new build properties and subsequent re-letting of council and housing association homes

Liaising with statutory agencies Children’s Services, Adult Services, Health Agencies, Police Probation, Domestic Abuse Housing Alliance etc on the impact of overcrowding on their work. To review the housing allocations scheme relating to overcrowding and under-occupation

Types of evidence:

Written evidence from officers and partners

- Data analytics
- Assessment of the overcrowding across all tenures
- Witness evidence from another borough operating a similar service.
- Witness evidence from Shelter, the Chartered Institute of Environmental Health, Chartered Institute of Housing, TRA’s, Islington Law Centre, Private Rented Tenants organisation, Help On Our Doorstep
- Witness evidence from resident groups
- Benchmarking with other council’s
- Questionnaires to residents impacted by overcrowding and under-occupation
- Questionnaires to partners including housing associations
- Census data

Additional Information:

- To consider any useful comparators as part of a 12 month review if required.
- In carrying out the review the committee will consider equalities implications and resident impacts identified by witnesses. The Executive is required to have due regard to these, and any other relevant implications, when responding to the review recommendations.
- The Housing Scrutiny Committee will also seek witness evidence from the following officers at the Housing Scrutiny meetings: Islington Council’s head of housing needs, Islington Council’s residential environmental health and HMO licensing lead Islington Council’s Property services, Islington Council’s Homes and Community Safety service Islington Council’s Safeguarding Lead Officer, Another London Borough, Shelter Islington VCS organisation working with residents experiencing overcrowding

| Programme | |
|---------------------------------|----------------------------------|
| Key output: | To be submitted to Committee on: |
| 1. Scrutiny Initiation Document | 18th July 2022 |
| 2. Draft Recommendations | 17 th July 2023 |
| 3. Final Report | 25 th September 2023 |