

Housing and Community Safety Scrutiny Sub-Committee

Wednesday 14 March 2012

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Gavin Edwards (Chair)
Councillor Michael Bukola
Councillor Rowenna Davis
Councillor Tim McNally
Councillor Graham Neale
Councillor Michael Situ
Councillor Martin Seaton
Miriam Facey
John Nosworthy
Jane Salmon
Lesley Wertheimer

Reserves

Councillor Claire Hickson
Councillor Paul Kyriacou
Councillor Darren Merrill
Councillor Wilma Nelson

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Contact

Sally Masson on 020 7525 0324 or email: sally.masson@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Acting Chief Executive

Date: 6 March 2012



Housing and Community Safety Scrutiny Sub-Committee

Wednesday 14 March 2012
7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

1. APOLOGIES

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

4. MINUTES

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To approve as a correct record the Minutes of the open section of the meeting held on Monday 30th January 2012.

DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING.

5. IMPACT OF WELFARE REFORM

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6. LESSONS LEARNED FROM THE HAWKSTONE ESTATE

23 - 25

7. TACKLING DOMESTIC ABUSE IN SOUTHWARK

To follow.

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PART B - CLOSED BUSINESS

**DISCUSSION OF ANY CLOSED ITEMS AS NOTIFIED AT THE START
OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 6 March 2012



HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE

MINUTES of the Housing and Community Safety Scrutiny Sub-Committee held on Monday 30 January 2012 at 7.00 pm at Ground Floor Meeting Room G01B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Gavin Edwards (Chair)
Councillor Michael Bukola
Councillor Rowenna Davis
Councillor Tim McNally
Councillor Wilma Nelson
Councillor Michael Situ
Councillor Martin Seaton
Miriam Facey
John Nosworthy

OTHER MEMBERS

PRESENT:

OFFICER SUPPORT: Jonathon Toy, Head of Community Safety
Angela d'Urso, Commissioning Service Manager
Sam Davidson, Divisional Accountant
Shelley Burke, Head of Overview & Scrutiny
Sally Masson, Scrutiny Project Manager

1. APOLOGIES

1.1 Apologies for absence were received from Jane Salmon, Homeowners Council and Lesley Wertheimer, Tenants Council.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

2.1 There were none.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

- 3.1 With regard to items 5&6: Councillor Wilma Nelson disclosed that she was a leaseholder.

4. REPORT BACK ON REVIEW OF RECHARGING ARRANGEMENTS BETWEEN GENERAL FUND AND HRA

- 4.1 David Longbottom from Grant Thornton, updated the sub-committee on the Audit Review.
- 4.2 Members commented that the Housing Revenue Account (HRA) should be split with the general fund.
- 4.3 Members also mentioned that the rents from commercial properties went into the HRA and that funds should be considered on a case by case basis because of the loss of income if funds were moved about. Members also said that taking rents from properties out of the HRA might give leaseholders the perception that there were injustices in the system. Members commented that the recharging arrangements between the general fund and the HRA were difficult to understand and that any effort to make this work clearer would be welcome.
- 4.4 A member wanted to know why leaseholders should contribute to the charge for providing the democratic role of the council and the management structure around the administration. It was also highlighted that the cost for the provision of bins were not always part of the core costs. Collection services were, on some estates, an additional cost for doorstep collections for those in flats who do not have access to rubbish shoots and communal bins.
- 4.5 Members pointed out that open spaces were used by all and yet the leaseholders paid for the upkeep of the area. There was a difference between the council as landlord and the council in a borough governance role. Other members commented that there had been no comparative or benchmarking studies made around this issue because of the wide sample needed to adequately inform a view. The council had to take an objective stance and it was on that basis that it made its decisions.
- 4.6 It was noted by a tenants and leaseholders representative that the review of the re-charging arrangements was lengthy and difficult to understand.
- 4.7 It was agreed that the action plan report returns for scrutiny at a future date.

5. UPDATE ON LEASEHOLDERS AUDIT ACTION PLAN

- 5.1 This item was incorporated into item 4, Report Back on Review of Recharging Arrangements Between General Fund and HRA.

6. DISCUSSION OF DRAFT SCRUTINY REPORT ON LEASEHOLDER CHARGING

6.1 The Chair highlighted the findings of the report:

- It was possible that excessive charging was still taking place and this should stop
- Defects liability for works was not assertive enough and non-existent works were being charged for
- There was a well motivated customer service but there were some problems immediately outside that team
- There was a disconnect between the provision of services, for instance cleaning and upkeep. Staff were not keeping in mind that leaseholders are being charged for the services and processes were not being adequately followed
- There should be a two-tier system of charges which should be introduced to cater for requests to make minor changes to properties
- Leaseholders have a poor model of a repairs service
- There needs to be more focus on contract management

6.2 The sub-committee agreed the following recommendations, to be included in the report:

- Details of service charges should be on-line and clear for leaseholders to log-in and access
- Leaseholders should be able to follow up on their service charges and be able to monitor their accounts so that challenges can be made if necessary
- Extension on the current IT changes for works and charges to be detailed in on-line, personalised accounts for residents.
- Contracted repair service to follow an 'i-model' with direct management control in-house
- Homeowners should not be required to pay for substandard works
- A designated officer to be the designated officer for signing off works for leaseholders and the details of the work to be made publically available
- Scrutiny to do follow up review into contract management services within the housing department later in the year
- Leaseholders to continue to have a face to face contact service available, to give residents information and a co-ordinated response when dealing with repair works.
- Cross departmental work to be developed to ensure a coordinated, more

efficient overall service

- An expanded role of leaseholder offices, based in other services to enhance joined up working between departments.
 - More attention to be given to 'future notice' of works planned. (Section 20). The stipulation should be that if there is not adequate future notice for works, the consultation process cannot take place. Section 20 should not be allowed to slide
 - Flat rate service charges to be considered
 - A fixed service charge to be connected to a formula year on year. Fixed service charge to be an additional option available to leaseholders
- 6.3 Members commented that changing the current system to put leaseholders accounts on-line might be at a considerable cost. Members wanted to know if this cost was to be passed on to the leaseholder. However, In view of the BAR project, the chair did not feel that this was going to be a huge expansion and felt it was a realistic expectation. Further exploration into the details of such an implementation would be pursued.
- 6.4 Members felt that repairs should be coming back in house. It was also the view of members that there should be increased training to raise awareness amongst staff dealing with leaseholders, promoting a more integrated system.
- 6.5 It was noted by the sub-committee that this year the underestimated and actual costs of services to the leaseholder was more in line. However members felt that over-estimating costs and asking leaseholders for less money rather than more, might offer a more attractive alternative. Members felt that whilst fixed services charges were a good idea, the details of this needed to be investigated further.
- 6.6 It was noted that the action plan needed to be incorporated into the report. The chair agreed to amend the report and get clearance from the sub-committee via email before the report was submitted Overview & Scrutiny Committee.

7. TACKLING DOMESTIC VIOLENCE IN SOUTHWARK

- 7.1 Angela d'Urso, Commissioning and Service Manager and Jonathon Toy, Head of Community Safety and Enforcement gave a presentation on the Safer Southwark Partnership's response to the problems of Domestic Abuse.

The definition of domestic abuse is '...a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person, usually a man, over another, usually a woman, within the context of an intimate relationship. It can be manifested in a variety of ways, including but not restricted to, physical, sexual, emotional and financial abuse, and the imposition of social isolation and is most commonly a combination of them all.

The abuse of power can take place in a range of personal relationship contexts, including:

*Heterosexual men abused by heterosexual women
Same sex relationships
Relationships involving a personal/family/otherwise carer
Parent/other adult relationships with children
Former partners and relationships
'Honour crimes'
Between young people under 18 in the context of 'dating violence''*

Female genital mutilation was also cited as an abusive act.

7.2 The legislative framework covers:

*The Domestic Violence, Crime and Victims Act 2004
The Children Act 2004
The Homelessness Act 2002
The Adoption and Children Act 2002
The Local Government Act 2000
The Race Relations (Amendment) Act 2000
The Crime and Disorder Act 1998, the
The Human Rights Act 1998
The NHS and Community Care Act 1999
The Children Act 1989
The Health and Safety at Work Act 1974*

7.3 Despite the comprehensive coverage of legislation available to address the issues of domestic violence and abuse, it can be very difficult to secure convictions and protect victims from their perpetrators.

7.4 Securing convictions can be a complex issue. Victims are often afraid of reprisals from the perpetrator and/or can be financially dependent on their abuser. More recently work has been done around the emotionally traumatic attachments that form between the victim and abuser. One of the complications of such an attachment is that the victim may not be aware, or is not willing to accept that she is being subjected to abuse and/or exploitation. A history of abuse in childhood can mean that the victim has come to expect abusive and/or exploitative relationships and view the behaviour of their abuser as normal and what they have come to expect and accept.

7.5 Women can end up in a cycle of abuse and it's possible that it can take a while to deal the underlying traumatic emotional issues. It's not always easy for women to walk away or accept help.

The presentation slides set out the Key Legislative areas:

'The Safer Southwark Partnership, the local community safety partnership, has a duty to tackle crime and disorder in the local area, including domestic violence (Crime and Disorder Act 1998)

The Domestic Violence, Crime and Victims Act and the Children's Act (2004) placed a duty of care on local authorities to provide services to victims of domestic abuse, including children. Duties have recently increased to include a duty to conduct domestic violence homicide reviews

The Housing Act 1996 allows local authorities to prevent domestic violence in the context of housing management functions (s.153A), also to respond to homelessness (Homelessness Act 2002)

- 7.6 The statutory services in Southwark are keen to intervene especially where there are children who may be victims themselves or where they may be witnessing violence.

'Local authorities play a vital and central role in tackling domestic violence - providing services, developing policies, raising awareness and facilitating partnership working

Most domestic abuse services are delivered outside of the council, so the commissioning role is critical e.g. independent domestic violence advocates (IDVAs), refuges, sanctuary scheme

Coordination of the Multi Agency Risk Assessment Conference (MARAC) – a multi agency response to the most high risk victims of domestic abuse.'

- 7.7 The Council has a duty to hold partners to account. Currently there are around 20 – 25 victims per month who are classified 'at high risk.'

'Domestic abuse is a very serious issue for Southwark:

Domestic abuse and violence against women and girls is a key priority in the council's Violent Crime Strategy 2010-15, adopted in December 2010 and the Safer Southwark Partnership's (SSP) Rolling Action and Commissioning Plan 2011-12

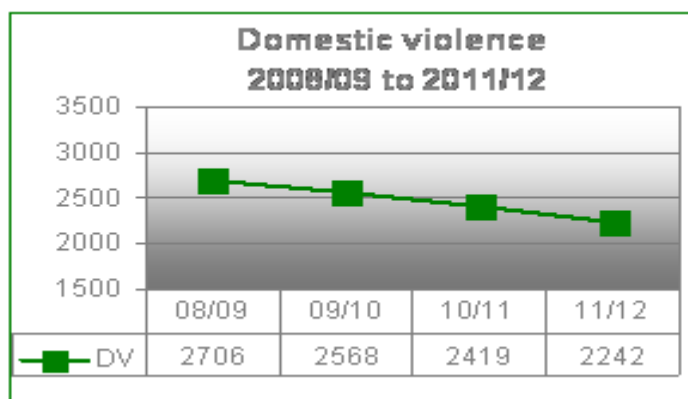
One in every five recorded crimes in Southwark is classified as violence against the person (10,553 reports in 2010/11). One in every four of these violent crimes is linked to domestic abuse (2,419 in 2010/11)

*In Southwark, 40% of *Merlin referrals are domestic abuse related; 30% of these trigger initial assessments*

In 2011, 225 cases were heard at the MARAC, involving 254 children and young people.'

- 7.8 *The organisation 'Merlin' deals with children in the home where domestic abuse is being perpetrated. They also deal with issues such as the problems of contact with the abuser after there has been intervention and separation. The perpetrators of domestic violence will seek contact with children after intervention has occurred and this situation has to be managed sensitively.

- 7.9 Domestic Abuse incidents mainly occur in the 16 – 30 age range. Issues of relationship violence amongst young people rarely gets recorded. Young women with abusive experiences often find that the tolerance for abuse remains with them into adulthood.
- 7.10 In BME groups, there is a larger portion of women being effected and more work needs to be done to redesign more appropriate services around those communities.
- 7.11 83% of reported cases are from women, however there is a slight increase in reported cases where men are the victim and where parents and/or carers are also experiencing violence from children and young people. The trajectory for reported and recorded domestic abuse is downwards:



'The SSP's recent strategic assessment showed that:

One third of total reported incidents occur at the weekend

The peak time period for domestic abuse is between 17:00 - 01:00. 49% of all incidents occur during this time

The peak months for reported domestic abuse are May to July, with a third of all incidents reported

Nunhead and Peckham are the peak wards for reported domestic abuse'

- 7.12 Members heard that the scale of the problem is huge in Southwark, however it is not the true picture of domestic abuse with evidence showing that it can take an average of 36 incidences of domestic abuse before a victim will call the police. Most of the unreported cases are regarded as 'hidden' violent crime. There are many suspected cases but women are reluctant to come forward because of fears for their safety and/or their economic dependence on their perpetrator can mean finding adequate funds for future independent living can be difficult to obtain.
- 7.13 Most cases of domestic abuse occurs in the victims home. 50% take place in or around the vicinity of their own home with only 1 in 35 incidents reported.

- 7.14 There are peaks in the number of cases of serious sexual assault and rape reported around the times of major sporting events such as the world cup. There are links between the increased excitement and energy of the games and the increase in alcohol consumption. At the last world cup, more police officers were deployed and this had helped to curb the rise in incidents considerably.
- 7.15 It was not felt that the economic downturn had impacted on the numbers of domestic abuse incidents. However, it was felt that with problems such as the loss of secure tenancies and with more women being financially dependent on men, that whilst the reporting was not rising, domestic abuse incidents were now more likely to be hidden. There could be more of a feeling of insecurity and vulnerability which might fuel the perpetrator's psychological need to regain some power and control over his environment. Overall, the reporting of acquisitive crime had risen. In the last economic downturn, 1989 – 1993, acquisitive crime increased, similar to the current situation.
- 7.16 Up to now the system of reporting and the subsequent pathways through the variety of services, has been complex. The new service will help streamline the passage through the legal system for victims and make the process less daunting. Often when women have been harmed, they are not keen to face the conviction process or come into contact with the perpetrator once they have been separated from them. Currently there is 'bespoke' response to individual cases, with the victim's needs taking priority.
- 7.17 In 2010 the SSP worked with the Children's and Families Trust and the Southwark Safeguarding Children Board to review domestic abuse services. The review showed a number of improvements that could be made, including the addressing of complex service pathways.
- 7.18 The SSP has been working since the review to address the issues of a new service on an outcomes based commissioning model.

'Community safety partnership services has been identified as lead commissioner. Old services decommissioned and a new service commissioned

Solace will provide the service from April 1 2012. It will include several key improvements, including:

A borough wide service, with a new centre for domestic violence and a single point of entry – one phone number, one email

24/7 access to the service

Improved response time to high risk victims

Improved outcomes in reducing victimisation and risk

A perpetrator programme

Specialist support programmes for children and young people

Other benefits including a service user forum, a volunteer programme etc'

- 7.19 Members were keen to hear that there would be better joined up working from all organisations involved in providing domestic violence services and that the referral pathways were being reviewed for better access. It was noted that there are increased reports when victims have accessed other social services.

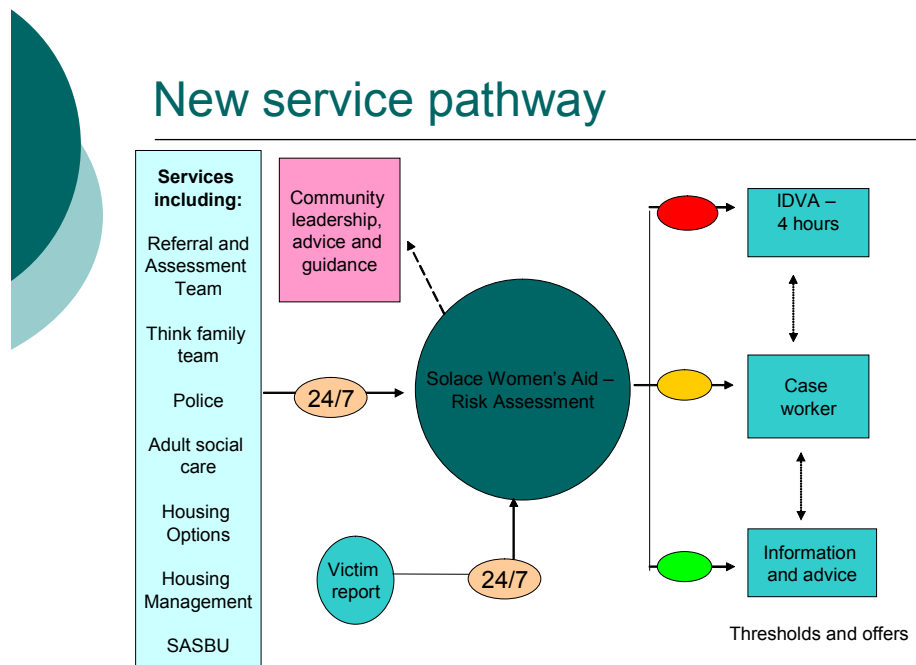
'A MARAC improvement plan has been developed and delivered:

Referrals are improved in quality and appropriateness

Increased partnership working

Focus on the Perpetrators

The MARAC has been assessed by CAADA and significant improvement was noted.'



- 7.20 'Solace' will be working with providers to deliver an integrated service centring on the wishes of the victim. The desire is to work more closely with the Court service, ensuring proper sentencing and fluidity throughout the system, although it was acknowledged that this is currently a future ambition.
- 7.30 Clarity over the workings of the Court system is continuing. There are a variety of different orders such as molestation orders and harassment orders. The head of community safety said that he could produce more information on what orders are available for the courts to use and the frequency with which they're being used.
- 7.31 Members were keen to ensure that the service was going to be fully accountable.

The Commissioning Service Manager reported to the committee that the performance targets link in with the Every Child Matters programme. There is a risk assessment toolkit with low, medium and high risk options, along with reassessment toolkits thereafter. If service providers do not perform adequately and meet those targets, then they do not receive financial allocations.

- 7.32 The Service will provide signposts to help centres and other resources and there will be a full communication strategy with details of funding allocations. Leaflets will be distributed at Housing Options Centres and there will be a lot of press coverage around the launch.
- 7.33 There are big challenges to provide services for women with indeterminate immigration status, who have no recourse to public funds. Often there are no community connections which makes vulnerable women 'hard to reach.' The new provider will be expected to do a substantial amount of outreach work.
- 7.34 In some communities, language can be a barrier for women who want to come forward to report domestic violence. There is a translation service presently employed with appropriate and culturally aware case workers to assist with an individual's needs. There are also support networks for domestic abuse caseworkers themselves, coordinated through Solace.
- 7.35 The SSP has successfully bid for European funding and is delivering two large projects in schools - SHER and HEDGEHOG. The projects support young people in preventing domestic/dating abuse and sexual exploitation
- 7.36 The SSP worked with community engagement to hold a community budgeting event to tackle violence against women and girls in Peckham and Nunhead raising awareness and increasing community involvement
- 7.37 The SSP is now unfortunately conducting our first domestic homicide review. There will be further work emerging from the review findings.
- 7.38 In ensure continuous improvement, the SSP is currently working on:
- Implementing and embedding the new service provided by Solace
 - Further European funding bids in partnership with Solace
 - Progressing the lead commissioner arrangement
 - Exploring future possibilities in relation to perpetrators for example tenancy conditions, contact centres

'A MARAC improvement plan has been developed and delivered:

Referrals are improved in quality and appropriateness

Increased partnership working

Focus on perpetrators

The MARAC has been assessed by CAADA and significant

improvement was noted

The Integrated Offender Management (IOM) solution Reducing And Deterring Adult Reoffending (RADAR) will work with offenders whose offences had a domestic abuse flag'

NB: MARAC: Multi Agency Risk Assessment Conferences

'Progress:

Successful bidding for DAPHNE funded projects – SHER and HEDGEHOG. The projects support young people in preventing domestic/dating abuse and sexual exploitation

A community budgeting event to tackle violence against women and girls in Peckham and Nunhead – raising awareness and increasing community involvement

We are conducting our first domestic homicide review

The Future:

Implementing and embedding the new service

Further DAPHNE bids in partnership with Solace

Progressing the lead commissioner arrangements

Future possibilities in relation to perpetrators for example tenancy conditions, contact centres'

- 7.39 There are a variety of different orders such as molestation orders and harassment orders. The head of community safety said that he could produce more information on what orders are available for the courts to use and the frequency with which they're being used. There has been extensive work to ensure engagement from the courts, but improvements are possible.
- 7.40 In some communities, language can be a barrier for women who want to come forward to report domestic violence. To address this there is a translation service employed with appropriate and culturally aware case workers to assist with an individual's needs. The new provider will conduct outreach work and work with community leaders.
- 7.41 Members felt that scrutiny could help develop the work in the following ways:
- Interview with the Mayoral team to enable Southwark's scrutiny work ties in with the work of the GLA and the Domestic Abuse Strategy. Jonathan Toy agreed to identify key contacts.

- Southwark to look at and set up liaisons with the Court Service to find ways of strengthening the relationships and procedures between the Council, police and other providers where necessary.
- Invite two representatives from Solace to help inform the committee's discussion and to reassure the committee that they will be completely linked in with other services provided by Southwark, along with working closely with other groups offering services/help in Southwark.
- Southwark to make enquiries of Solace as to whether it is possible to find a survivor of Domestic Abuse to come to the next committee meeting to speak of their experiences.
- Chair/committee to write to Community Councils recommending the presentation on Domestic Abuse from Southwark's Community Safety Department.

7.42 Data and information requested by the committee:

- i. The numbers of victims re-housed
- ii. Exact cost of investment going to Solace (£350,000 per year).
- iii. The number of convictions in Southwark per year.
- iv. A breakdown of figures showing the repeat rates of offending from perpetrators. Special focus on a breakdown of offending rates in Walworth, Nunhead and Peckham.
- v. Figures showing a breakdown of crime, violent crime and sexual assault patterns over the last few years across the borough (Area by area).
- vi. Jonathan Toy to provide more detailed figures regarding the types of crime that were now more prevalent in the current economic downturn.
- vii. A breakdown along demographic lines: Domestic abuse incidents occurring north and south of the borough, ethnicity, class and age.
- viii. Jonathan Toy to provide more detailed figures regarding the types of crime that were now more prevalent in the current economic downturn.
- ix. Jonathan Toy and Angela d'Urso, to provide a breakdown of figures affecting BME reported cases of domestic abuse.
- x. Jonathan Toy, head of community safety said that he could produce more information on what orders are available for the courts to use and the frequency with which they're used.

7.43 Members paid tribute to Councillor Linda Manchester who hosted a special meeting on domestic abuse at Bermondsey Community Council.

8. WORKPLAN

- 8.1 The council has chosen enhanced refurbishment for the Hawkstone low rise blocks of flats as the preferred option. Members agreed that scrutiny should receive a written briefing considering the lessons learned in relation to the consultation, in a

one session meeting.

- 8.2 It was also agreed to consider the Abbeyfields blocks in light of the works planned for the Hawkstone blocks.

Briefing: Housing and Community Safety Scrutiny Sub Committee

Subject: Welfare reform

Date: 2 March 2011

Report author: Alice Orr-Ewing

INTRODUCTION

This briefing is intended to provide an overview of the Government's welfare reform agenda and an early analysis of the possible impacts on both the residents of Southwark and the Council's delivery of services.

The information and assumptions contained within this briefing are drawn from a range of sources including government legislation, consultations and equality impact assessments, LBS held data (particularly in the area of housing benefit), recent London Councils research and research from policy officers across the Council. At this stage, the figures and impacts outlined below are indicative and may change with further clarification by the Government, data analysis and modelling. A more detailed breakdown of individual benefit changes and their impacts can be found in Appendix 1.

BACKGROUND

In late 2010, the Government began outlining plans for a radical overhaul of almost all aspects of welfare support in this country. Central to these reforms was the Government's desire to reduce the Nation's benefit bill, particularly in relation to Housing Benefit, to simplify the benefits system as a whole and finally, to 'Make Work Pay'.

The Welfare Reform Bill attempts to bring into law a wide range of benefit changes. From April 2013 for those households who are out of work (and some part time workers), there will be a cap on the amount of benefit they can receive - £350 p/w for a single person and £500 p/w for a family, this amount includes housing costs and child benefit. This will be followed by the phased introduction of the Universal Credit (UC) - a single benefit to replace most of the current working age benefits- between October 2013-17 (still subject to the cap).

OVERALL IMPLICATIONS

- The central pillar of the Government's welfare reform agenda – Universal Credit and a cap on the maximum benefit payable to non working households - will disproportionately affect Southwark residents as no consideration has been given to the higher living costs associated with an inner London borough.
- Non working families living in the private rented sector will be particularly affected by both the Universal Credit cap and the reduction in Local Housing Allowance (LHA) rates, with many finding their current accommodation becoming unaffordable.
- The scale of the reforms and the timings of their introduction exacerbate the negative impacts with some households seeing a two stage reduction in benefits.
- With challenging reforms do come potential opportunities; these reforms provide an opportunity for local authorities to strengthen partnership working with the voluntary and community sector, utilising their experience, resources and links to the community.
- The localisation of the delivery of Council Tax Benefit and elements of the Social Fund afford local authorities the ability to set eligibility criteria which match the needs of Southwark rather than the country but while welcomed, is tainted by a reduction of at least 10% in the budgets of both these services that LAs will have to deliver.

- Finally, these reforms are designed to produce a benefit system which is simpler and easier to understand, benefiting Southwark residents in the longer term.

SUMMARY OF CHANGES & IMPACTS BY BENEFIT TYPE

Benefit cap

From April 2013, there will be caps on the maximum amount of benefits working age households can claim, targeted on households in which the adults are out of work but also affecting some part-time workers. The caps are set at the equivalent of UK median earnings - £350 p/w for a single person and £500 p/w for families. A recent London Councils' report predicted the cap will result in 3% of households without children finding their accommodation is unaffordable and over 30% for families with children. The research also found the average loss across London for households affected by the cap is £105 per week, ranging from £58 for a couple with no children to £117 for a couple with children.

Universal Credit

Universal Credit will be introduced between October 2013 – 2017, a single benefit for working age people both in and out of work, replacing most means tested benefits (JSA, ESA, Income Support, Housing Benefit and Child and Working Tax Credit). The benefit cap will continue to be applicable as above. There will be a 3 stage transfer of claimants from their current benefits to UC from October 2013 – October 2017.

Council Tax Benefit (CTB)

It is proposed that from April 2013, administration of CTB, including the setting of criteria for eligibility, will be devolved to LAs. However there will be a 10% reduction in the ring fenced budget. There are around 36,000 current CTB claimants in Southwark. Who will be impacted will depend on the criteria set by LAs but the government has pledged to ensure older persons are protected. LBS has responded to a government consultation on this issue stating administration should not be localised but instead be included in the Universal Credit, if this is not possible then any funding should be demand led rather than via set grant. Our consultation response also outlined concerns regarding its impact on vulnerable residents.

Housing

The housing related reforms focus on reducing the maximum amount of Local Housing Allowance (LHA) (a HB for private rented sector tenants) a household can claim. They were introduced for new claimants from April 2011. There is transitional protection for existing claimants but this will end between January and December 2012. During this period approximately 882 claimants will see a reduction in their benefit. Housing benefit will also be restricted for working-age social rented sector tenants, with the size criteria replicating that applied for HB claimants in the private rented sector. So, social housing tenants who are underoccupying by 1 bedroom will lose up to 14%, and those underoccupying by 2 bedrooms or more will lose up to 25% of their HB. Around 4,500 underoccupying, working age, social housing tenants will see an average reduction of £21 per week. These changes are likely to result in a reduction in the number of affordable private rented sector properties, overcrowding or migration to more affordable areas of the borough or neighbouring boroughs, an increase in poor quality accommodation and homelessness applications.

Disability related benefits

Disability Living Allowance (DLA) for people of working age is to be reformed from April 2013 and the tests for eligibility for the new benefit, Personal Independence Payment, will be more stringent. Predictions that those who receive DLA at lower levels may lose this benefit (current lower component for both care and mobility is £19.55). At May 2011 there were 13,290 DLA claimants in Southwark, with over 5,000 claimants in receipt of the lower rate. Those who lose entitlement will find they are mandated to work and subject to the UC cap.

Social Fund

It is proposed that from April 2013, that administration of part of the Social Fund- Crisis Loans for Items and Living Costs, and Community Care Grants, will be devolved to LAs, the funding reduced and not ring fenced. In 2009/10, Southwark residents made 15,000 applications for these loans and grants and were awarded a total of £1.8m. Reform of Crisis Loans will impact on low income households; particularly single persons aged 18-34. There is currently no clear guidance as to who in LAs will administer – Government consultation suggestions of Adult Social Care or where in place – local Credit Unions.

EARLY ANALYSIS OF IMPACT BY GROUP/SERVICE

Impact on families

Families, particular larger families, will be hit hardest by the reduction in LHA with many finding their current accommodation becomes unaffordable. The cap on total benefits claimed will mean that in some areas of the borough even the Government's new Affordable Rent model will be beyond their means. These families will be presented with a choice of finding the shortfall in rent from other income, moving to a more affordable area or downsizing and becoming overcrowded. It is also likely that many children in need and families receiving intensive support through Southwark Children's Services and Social Care will be amongst those affected by the benefit reductions and housing caps.

Impact on households with registered disabilities

While claimants with a registered disability are protected from a number of the benefit changes, including not having a cap placed on their universal credit, the number of claimants with a registered disability is set to fall as the government phases out DLA and introduces new more stringent assessments. Around 2,400 Southwark social housing tenants who have their HB cut as a result of underoccupation will be registered disabled, in some cases leaving them unable to afford a property which has been adapted to their needs.

Impact on single person households

The increase in the shared accommodation rate from 25 to 34 years old will see this age group's HB reduced from a level that previously covered a 1 bed self-contained flat to that which covers just room in a shared house. Those currently in self contained flats will have to find the shortfall or move to shared accommodation such as a House of Multiple Occupation (HMO). Single person households will also be disproportionately affected by the changes and cuts to the social fund as they make up the vast majority of claimants for crisis loans for items (eg white goods) or living costs (eg rent in advance).

Impact on older persons

Currently, older persons (*households of a non working age*) are protected from a number of the benefit changes. Universal credit will not apply; neither will the reduction in HB for underoccupying social housing tenants or the reforms to Council Tax Benefit. However, older persons renting in the private sector will be affected by the cap on LHA and the reduction to the 30th percentile. Older people may be more likely to underoccupy and if underoccupying in the private sector they will already be making up any rent shortfall themselves, (as the LHA HB is based on an assessment of the household 'requirement' rather than on the property size). A further restriction of LHA to the 30th percentile could mean that they have a greater shortfall to make up. Moving house can have a disproportionate affect on older persons if it results in losing local support structures. Also, there may not be alternative accommodation for these people to move into nor supporting schemes.

Impact on housing services

It is estimated that of the 133,000 workless households in London, 20% of the total will be unable to afford their current rent as a result of either the UC or LHA caps, applied to Southwark this is some 6190 households.

Increasing homelessness will place further strain on Council resources in terms of the need to place families in temporary accommodation when procurement is already difficult. The 'cheaper' areas of London are likely to see higher migration leading to less economic diversity in these areas.

Impact on health

An increase in overcrowding as a result of lack of affordable properties is known to have adverse effects on people's physical and mental health and children's development. Low paid health and social care staff may be those impacted by the reduction in LHA, if they move to a more affordable borough it could lead to disruption to health and social care services. The increase in the rates for non dependent deduction in Housing Benefit for people in the household aged 18+ may have an adverse impact on young carers. Finally with reduction in household income comes increased fuel poverty which has far reaching health implications.

ROLE OF THE VOLUNTARY AND COMMUNITY SECTOR

The changes are likely to lead to significantly increased levels of need for information, advice, advocacy and representation for community organisations, in particular community legal advice services. Independent VCS organisations are a key resource in responding to demand in this area and in supporting community resilience/cohesion, preventing increased rent arrears, homelessness, over-indebtedness, poverty and discrimination.

These organisations can play a key role in disseminating information and responding to anxiety and uncertainty about the impact of the changes. For example, London Mutual Credit Union is a key strategic local partner that can provide systems and support to individuals by providing a range of affordable financial and banking services that may facilitate the transition to Universal Credit for housing providers and tenants/leaseholders.

APPENDIX 1 – DETAILED LIST OF CHANGES & IMPACTS

Housing related changes

From April 2011:

- Cap on Local Housing Allowance (LHA) – LHA is the housing benefit for private rented sector (where claim processed after April 2008) the cap will apply regardless of circumstance or geographic location.
 - £250 for a one bedroom property
 - £290 for a two bedroom property
 - £340 for a three bedroom property
 - £400 for a four bedroom property
- Abolition of 5 bed LHA rate, - households with a bedroom need of 5 or more will only be able to claim LHA to cover a 4 bed property.
- Abolition of £15 'top up' – where the actual rent for a property was under the LHA, claimants were allowed to keep up to £15 of the excess above the actual rent, this has been abolished.
- Increase in Non Dependant Deductions (NDD)– when housing benefit (HB) or LHA is calculated, there is an assumption that any working age adults also living in the property will contribute towards the rent. The level of 'assumed contribution' is increasing.
- HB claimants with a disability will be entitled to funding for an extra bedroom for a non-resident carer.
- LHA will be cap to the 30th, rather than 50th percentile of the Broad Rental Market Area (BRMA). This means that LHA should cover the rent of 3 out of 10 private rented properties in the area.
 - £85 for shared room rate
 - £184 for a one bedroom property
 - £240 for a two bedroom property
 - £294 for a three bedroom property
 - £380 for a four bedroom property

From January 2012:

- Shared accommodation rate (SAR) will be extended to include single people under 35; (it currently applies to under 25 year olds only).

From April 2013

- Cut to HB for underoccupying, working age, social housing tenants – 10-15% reduction in HB paid to tenants underoccupying by 1 bedroom, 20-25% reduction for those underoccupying by 2 or more bedrooms.
- Universal credit introduced (see below) – no separate benefit for housing costs (and therefore no local authority (LA) involvement in delivery) and end of direct payments to landlords (exceptions will apply).
- LHA rates will be increased in line with the consumer price index (CPI) rate of inflation rather than in line with local market rents in the area. Rents in London typically increase at a faster rate than CPI.

Housing related impacts

- The majority of these housing benefit/LHA changes came in to force for new claimants in April 2011.
- Existing claimants have been given transitional protection of 9 months after their first review/anniversary date (the yearly date where a claim is reviewed) after April 2011,

unless there is a relevant change in circumstances. This means that the overall impact will spread from January 2012 – December 2012.

- For example, where a claimant's anniversary/review date was May 2011, they will be protected from the change until February 2012. If their anniversary was in March 2012 they will be protected until December 2012.
- LHA Cap may lead to inward migration from more costly boroughs – Average Westminster monthly rent - £3,333, compared to £1,543 in Southwark.
- LHA move to 30th Percentile – will affect 2269 (54%) of all LHA claims (767 of which have children, 37 with pensioners & 34 with a disability) with an average reduction of £39.91 per week.
- There is currently an exemption from the LHA changes for leased temporary accommodation (e.g. HALS or PSL schemes) used for homeless/homeless prevention until at least March 2013. This offers protection to most temporary accommodation (TA) tenants and also gives landlords and the Council some certainty. However, if HB caps for TA rents are introduced, there may be increased competition from other boroughs.
- An increase in homelessness is expected as a result of the changes. Accurate projections are problematic as HB reforms are phased. The first quarter of 2011/12 shows a rise in homelessness acceptances on the corresponding quarter in 2010/11 (132 and 105 respectively). We currently project a possible increase in homeless approaches of between 250 – 300, taking us from our current level of 1000 new applications per annum to around 1250 -1300.

Benefit Cap and Universal Credit – changes

- From April 2013 - cap on total benefits working age households can claim, targeted on households in which the adults are out of work but also affecting some part-time workers:
 - £350 p/w single person
 - £500 p/w for families regardless of size.
- In the first instance the household benefit cap is likely to be delivered by LAs as part of the admin of HB from April 2013 onwards.
- UC will not apply to households of a pensionable age (though a similar combining of all pensions related benefits may be introduced at a later date).
- Some households are excluded from the cap including:
 - Households entitled to working tax credit; households with a claimant, partner or child receiving disability living allowance (or its successor, the personal independence payment), or attendance allowance, or constant attendance allowance; and war widows and war widowers.
- Additional exemptions were announced in the House of Commons on 1st February 2012 which include: households who were in receipt of the support component of employment and support allowance; and a nine-month grace period for claimants who were in work for 52 weeks or more before the start of their claim.
- From October 2013, a single benefit for working age people both in and out of work
- Replaces most means tested benefits eg Job Seekers Allowance (income based), ESA (income related), Income Support, Housing Benefit and Child and Working Tax Credits.
- Administered by the DWP, paid monthly and directly to claimants

Benefit cap and Universal Credit – impacts

- London Councils advise that working claimants in London will be disadvantaged as most of the elements of UC will be set using a formula based on national parameters although living costs are higher in London.
- The greater emphasis on conditionality and sanctions (e.g. after refusal to take part in Mandatory Work Activity) may lead to hardship for claimants and their families resulting in more demand for support from Council services e.g. Children's and Adult services, etc. Although the White Paper states that conditionality will be responsive to an individual's circumstances, and that "We will also maintain safeguards for vulnerable people and ensure that mental health and substance abuse problems are taken into consideration," there are concerns about how this will work in practice
- Individual claimants may need high levels of support to make the transition into work e.g. full conditionality will apply to lone parents and couples whose youngest child is five, so there may be issues around childcare, which is expensive in London. Labour market conditions have worsened with particular concern around youth unemployment and increased competition for entry level jobs placing priority groups at further disadvantage.
- The welfare reforms also have implications for the Council in terms of ensuring good partnership working is in place with providers and JobCentrePlus

Disability and sickness related benefits changes

Current main disability related benefits are:

- Employment and Support Allowance (ESA) – for working age people who are unable to work because of sickness or disability (replaced Incapacity Benefit in 2008).
- Disability Living Allowance (DLA) – For working age claimant, two components – 'Care' & 'Mobility' for which a claimant can be assessed as having a Low, Medium or High need. DLA is linked to level of disability not work status/means tested.
- Attendance Allowance (AA) – For over 65 year olds, to cover care needs for those not in residential or institutional care home/accommodation.

From 2013:

- DLA will be replaced by Personal Independence Payments (PIP) and all those claiming will have a new assessment to determine eligibility. As per DLA, not linked to work or means, designed to meet extra costs associated with living with a disability.
- Work Capacity Assessment for all new unemployed disabled claimants - placed in one of the three tiers of the ESA, an addition to JSA, while they seek work.

From April 2014

- All ESA claimants to move on to Universal Credit
- will see the abolition of tax credits which had disability element

Disability and sickness related benefits impacts

- From 2013, Personal Independence Payment will replace the DLA, provision may end for many on lower and some middle rate care who will find themselves without this additional payment and if out of work, subject to the UC cap on household income.
- Disabled people receiving the middle and higher rate of DLA who live alone will lose their Severe Disability Premium worth £55 per week.
- UC will remove Tax Credits, including the disability elements for those in work. Families with disabled children that are not in the highest rate of DLA care will no longer be entitled to the disability element of child tax credit, reducing their weekly income by around £23.00.

- Currently couples could get a disability addition for one member and the carer addition for the other partner. However under UC, there is only one earnings disregard per disabled household reducing overall income.
- From 2013, all new unemployed disabled claimants will undergo a Work Capacity Assessment and be placed in one of the three tiers of the Employment Support Allowance, an addition to JSA, while they seek work. Those on the highest level of benefit are likely to be in receipt of DLA and so exempt from the UC cap. Incapacity Benefit is being phased out, with claimants reassessed for the ESA and moved into one of the three tiers.
- At same time all ESA claimants will be moved onto UC between April 2014 and October 2017. Return to Work Credit will end.

Council Tax Benefit (CTB) changes

- Currently, LAs administer CBT in accordance with national criteria set by DWP.
- From April 2013, local authorities will have to set their own local criteria for CBT entitlement (elderly, vulnerable, young children etc)
- The Government will cut CBT funding by 10% for 2013/14.

Council Tax Benefit (CTB) impacts

- LAs' criteria will have to reflect a 10% cut in payments while protecting elderly claimants.
- An increase in Council Tax arrears if the criteria changes and see some previous recipients no longer eligible.

Reform of the Social Fund (SF) changes

- The Social Fund is DWP administered and provides different types of loans or grants to people on low incomes. They split in to two groups
- Mandatory – eg funeral payment, winter fuel allowance – these are not subject to reform.
- Discretionary – there are three main types, all of which are subject to reform:
 - Crisis loans 3 types – Items (eg white goods), living costs (eg rent in advance), alignment (for when waiting for benefit claim to be process).
 - Community Care Grants – help claimant get established in the community following a stay in institutional or residential care, or to stay in the community rather than go into care.
 - Budgeting Loans – similar to Crisis Loans – can be used for rent in advance, furniture, clothing etc.
- The Government is proposing that Budgeting Loans and Alignment Crisis Loans be abolished and subsumed into Universal Credit.
- Administration of Crisis Loans for Items and Living Costs, and Community Care Grants will be devolved to LAs, the funding reduced and not ring fenced.
- No clear guidance as to who in LA will administer – Government consultation suggestions of Adult Social Care or where in place – local Credit Unions.

Reform of the Social Fund (SF) impacts

- It is possible that there maybe increased costs to LAs for administering the system.

- Depending on what criteria is set locally; it is likely there will be less loans/grants available to help households settle in communities.
- For example, rent in advance is a common use of crisis loans, particularly as currently and application is processed within two days.
- Crisis loans are often used to cover other emergency items such as replacing broken white goods.
- They can also be claimed for living costs such as topping up an electricity or gas key.
- Without these types of loans, households on low incomes will be unable to deal with most emergencies.

Item No.	Classification: Open	Date: 14 March 2012	Meeting Name: Housing and Community Safety Scrutiny Committee
Report title:		Hawkstone (Lessons Learnt)	
From:		Maurice Soden, Regeneration Initiatives Manager	

The lessons learned from the Hawkstone Low Rise option appraisal.

Introduction

1. The option appraisal exercise Hawkstone Estate in the latter half of 2011 was undertaken as a result of the Cabinet decision on 31 May 2011. The resolution designated the Hawkstone one of 6 High Investment Need Estates and one of three where an appraisal was to be undertaken. The study was to focus on the low rise blocks.

General

2. Hawkstone estate has a convoluted history of discussion about investment and potential regeneration; a further exercise of some description was necessary to evaluate disparate information in a coordinated way and to agree a way forward. This should of course be undertaken in consultation with residents; in doing so, it should be accepted that the appraisal team would have to manage annoyance among residents who think it is going over old ground. It should not be assumed that the exercise can be ring-fenced from what residents' perceive as previous consideration of the same issues i.e. the 2 year programme commitment and the work done with residents around that. The team accepted that there is a long history, and indeed recognised the value of it, but needed to seek to ensure that residents were aware that this was a new and different process, leading to a firm and deliverable conclusion.
3. It should be anticipated that any option appraisal exercise will throw up complexities; the reason there is a 'history' at Hawkstone is that the investment decisions over time have not been straightforward. There are a number of lessons to be learned.
4. The first is that in conducting such exercise, a timetable should be set and it should be adhered to as far as possible, unless there is a clear advantage in extending it, for example in terms of the quality of decision making. It is acknowledged that a relatively fast track process as the Hawkstone option appraisal was will lead to complications, but that the speed in itself can provide a valuable focus. Some stages that would normally be sequential were overlapped at Hawkstone and in project terms it was quite an intense process. The exercise was too slow for some residents, and stages appeared rushed to others, but on balance the pace adopted for Hawkstone seemed about right.
5. It is necessary to set a clear scope for the exercise, partly because it can be managed more efficiently to timetable and partly because it assists in clarity

for residents. In the Hawkstone context, concentrating on just the housing blocks where investment was not already completed or was planned, was the right approach, but it still led to difficulties when looking at the land capacity issues, particularly the potential impact of infill development on the blocks not being considered.

Inception and Methodology

6. The exercise must set a balance between not having a pre-conceived outcome and not wasting time on possibilities that could not reasonably be delivered; both are wasteful and likely to damage the credibility of the exercise and test the patience of residents. The draft options should be agreed with a reasonable set of assumptions in the knowledge that even a preferred option adopted as a result of the exercise is likely to evolve during planning and delivery.
7. In terms of the expertise brought in for the option appraisal, there are two main points of learning. Firstly, the involvement of resident's representatives in the appointment process for the technical advisors added value to the process, in terms of trust and relationship building. Secondly, there was a mid tender briefing and clarifications session for technical advisors who had entered the process. This gave an opportunity to emphasise the council's requirements and reinforce the timetable. This greatly assisted in a prompt start, once the appointments had been made.
8. Even though the working processes in collecting and presenting information should be transparent from residents' point of view, care and discretion is needed in the use of, for example, cost information and its implications for leaseholders.
9. Even when the housing blocks being considered are fairly uniform, as was the case with Hawkstone, it should be expected that the technical issues and residents' experience will highlight differences in terms of unit type, location, aspect, adjacency to roads etc. There is a need to be mindful of this during the exercise and also when making decisions and delivering the outcomes. For example, care is needed in making assumptions about some blocks being more popular with residents than others. In developing the specification for works at Hawkstone, it will be necessary for example to consider the requirements of parts of blocks particularly prone to condensation through cold bridging, and noise and fumes from traffic.
10. It was very useful that there is an actual option appraisal methodology, particularly when there were multiple exercises going on, but it should be recognised that it is only a tool and not every consideration can be pre-set.

Resident Involvement

11. It is useful to establish a separate steering group with residents for an option appraisal, purely because of the focus required and the time limited nature of the exercise. It should be made clear that the steering group is a consultative arrangement and whilst every effort should be made to achieve a consensus, it is not a decision making body.

12. The group should be small enough to be manageable, and whilst it need not have a formal representative structure, it should be inclusive in terms of all blocks having a member and there being a mix of tenants and leaseholders. Where there is an existing TRA, the steering group should be set up through the TRA, and as a sub-group of it. In the case of Hawkstone, the group was established through the TRA but not as a sub-group. This led to unnecessary tensions among residents because the option appraisal was for part only of the estate represented by the TRA.
13. The group should adopt terms of reference and accepted working practices. The degree of formality should reflect the nature of the exercise and its duration.
14. The officer and advisor project team should be prepared to conduct business at a pace that the steering group is comfortable with, and with a clarity that is suitable for all members. For some residents, the process can at times appear repetitive and wasteful; others may wish to work at a very detailed level. Room should be made for a range of preferences.
15. Having employed the services of an independent resident advisor at Hawkstone, it is recommended that this approach should be used for any future option appraisal exercises.

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