

<b>Item No.</b> 15.	<b>Classification:</b> Open	<b>Date:</b> 16 July 2019	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Intermediate rent housing list – feedback on the consultation and agreeing the next steps	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Kieron Williams, Housing Management and Modernisation	

## **FOREWORD – COUNCILLOR KIERON WILLIAMS, CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION**

The housing crisis is the greatest challenge facing London today, and tackling it is one of the council's biggest priorities. We are doing this by increasing the supply of affordable homes and by helping people to find a home that is right for them.

Our first priority is building 11,000 new council homes to help meet the needs of the 11,000 people on our social housing waiting list. However with demand for social housing outstripping supply we have to focus on giving those homes to the people in most need. This leaves many others on average incomes unable to find a long term home in Southwark that they can afford. Intermediate rent housing provides an option for these people, offering middle-income Londoners below market rents and longer more secure tenancies.

This paper sets out our plans to ensure intermediate rent homes in our borough are allocated fairly. It outlines our proposed focus on providing affordable accommodation for key workers who provide essential services for Southwark residents, like teachers, social workers and nurses, but who would otherwise be priced out of our borough. As well as those fleeing domestic abuse.

We are waiting for further details on the national and London policy context for these proposals, hence a final decision on our policy for the allocation of these homes will be taken in the autumn.

## **RECOMMENDATIONS**

### **Recommendations for the Cabinet**

1. To agree to continue with plans to introduce an intermediate rent housing list.
2. To agree the outline eligibility criteria and priority system for the new intermediate rent housing list, based on the feedback from the consultation with residents and other stakeholders (as set in paragraphs 20-37).

### **Recommendation for the Leader of the Council**

3. To delegate authority to the cabinet member for housing management and

modernisation in consultation with the strategic director for housing and modernisation to agree the final design of the scheme, once the London Plan has been adopted (given the issues detailed in paragraphs 38-45).

## **BACKGROUND INFORMATION**

4. The Council Plan 2018-22 includes a commitment to secure more discount market rent homes at the London Living Rent level, as defined by the Mayor of London. London Living Rent is a type of affordable housing for middle-income Londoners, with lower rents to help the household save up for a deposit. Southwark Council has proposed introducing a new intermediate rent housing list to assist with the allocation of intermediate rent housing products. The list would not be used for shared ownership housing which would continue to be allocated through the Mayor of London's online portal.
5. The proposal for the intermediate rent list was developed in response to changes in the national planning policy framework (NPPF). These changes allow developers to meet the affordable requirement on purpose built private rental developments through a new private discount market rent product. The Mayor of London's Affordable Housing and Viability Supplementary Planning Guidance August 2017 and the draft London Plan now directs the affordable housing requirement on purpose built build to rent developments towards London Living Rent or similar discounted market rent products. These documents would count as material considerations in future planning decisions. The council has developed a new P4 policy in the New Southwark Plan to try to maximise the supply of properties at the lower rent end of the spectrum. The new intermediate rent housing list will help ensure any properties developed at these lower rents go to households in most need of these properties.
6. Cabinet directed officers to publically consult on proposals for the intermediate rent housing list in December 2017. The consultation ran from July 2018 to the end of November 2018. The consultation covered the eligibility criteria, priority star system and some questions about what should happen at the end of a fixed term tenancy where circumstances have changed. This report provides feedback on that consultation. Since the consultation concluded there have been some changes at national, London and local level which have complicated the position and impacted on the proposals.
7. In September 2018 the Government published some guidance around purpose built private rent developments which has contradicted some of the council's proposals. At a London level the Mayor of London has submitted his latest draft of the London Plan. This document contains many references to the affordable requirement on purpose built private rental developments, but which also run contrary to the national planning guidance. The examination in public on the London has concluded. The Mayor is awaiting the Inspectors' Report which will set out their recommendation on the Plan, whether it can proceed to adoption and any amendments that are required. The report is expected to be available October/November 2019. The London Plan should then proceed to adoption. Once adopted this document will have weight in planning decisions as the London Plan is part of the council's development plan. These issues are considered in more detail in Section Two of this report.
8. At a local level, the council is aiming for submission of the New Southwark Plan to

the Secretary of State in July 2019, with the Examination in Public to follow. This is pending completion of work required for the submission so this may need to be delayed until September. There were some revisions to the P4 Private Rented Homes Policy since the start of the intermediate rent list consultation. While 65% of the scheme will still be permitted to be let at market rents, 18% will now need to be let at London Living Rent levels (let through the new intermediate rent list) and 12% will need to be at social rent levels (let via the social housing list). The proposal for 5% at up to 80% market rent was removed in line with the draft London Plan.

## KEY ISSUES FOR CONSIDERATION

### Consultation

9. The consultation ran from 25 July 2018 to 18 November 2018. The main method of consultation was the web-based consultation document. The internet, press releases and social media were used to try to raise awareness of the consultation. Officers also wrote to developers and key worker organisations to encourage their feedback. Officers also met directly with existing groups such as the Southwark housing association group (SOUHAG), the futures steering board (FSB), tenant council, homeowner council and TMO liaison committee. Announcements were also made at community councils and this consultation was included in community council newsletters/Facebook pages etc. The council also met with officers from the GLA.
10. There were 90 responses to the actual consultation survey online and five emails with comments. Overall there was a good spread of responses from different tenures, ages, ethnicities, sexualities, religions and disabilities. Male respondents were under represented. Appendix A gives more detailed feedback on the consultation.
11. Broadly the consultation supported the proposals put forward in the consultation but there were a number of very helpful suggestions for slight changes.

### Eligibility

12. In the consultation the council proposed the following eligibility criteria to join the intermediate housing rent list.

Residence in the borough or a key worker working in Southwark
A household with a household income of less than £60,000 for London Living Rent equivalent properties and less than £90,000 for properties up to 80% market rent.
A household with a minimum earned income of £26,000
To be not an existing homeowner unless the current property is unsuitable (overcrowded/disabled access/unaffordable) and the household is unable to buy/rent in the private market.
That nobody in the household has been guilty of unacceptable behaviour serious enough to make the applicant unsuitable to be an intermediate rent tenant
That the main applicant is aged 18 or over
The household can be formed of 2 or more unrelated households (sharers)

13. The consultation feedback generally supported a residency requirement. On average the consultation feedback suggested the residency requirement should be three years. Therefore the recommended eligibility criteria will include a three year

residency requirement to ensure the scheme is supporting local residents. Some respondents felt this should be able to include former time lived in the borough where people have been priced out. This could make the scheme difficult to administer so will need further consideration. Therefore the definition of the residency requirement will be finalised in the IDM paper on the final design of the scheme.

14. Most people supported waiving the residency requirement for key workers working in Southwark. In addition, in line with the principles of the Southwark Domestic Abuse Strategy the recommendation is that the residency requirement be waived for anyone fleeing domestic abuse.
15. There was a fairly high level of opposition to the minimum income caps. The minimum income criteria "being about right" had the highest number of positive responses at 51%, but 21% said this was too high and a further 17% felt there should be no income threshold. This minimum income had been calculated based on what was required to afford a London Living Rent level in the cheaper areas of the borough. If this was lowered it could be very difficult a household to afford the rents. In response, the proposal is that individuals on lower incomes are allowed to share a property. There was support for this aspect in the consultation. This will enable lower income key workers to join together to meet the minimum income threshold. The final design will cover how this will work in terms of who would be responsible for the rent in the case where one of the household members wanted to move out.
16. There were many negative comments in the consultation about the proposed £60-£90k income band. This was seen by many as too high. This band had been included based on viability concerns of the overall scheme, but research has now concluded that this is not required. Therefore this part of the proposal has been removed from the New Southwark Plan.
17. There will be a need to update both the maximum and minimum income thresholds. These will be updated annually in response to changes by the Mayor of London to the London Living Rent scheme. In the case of the minimum income, this will be based on the income required to afford the London Living Rent level in the cheapest ward, with a third of income be used on rent. For the maximum income this will be the maximum income cap set by the Mayor of London.
18. One respondent suggested changing the criteria "To be not an existing homeowner unless the current property is unsuitable (overcrowded/disabled access/unaffordable) and the household is unable to buy/rent in the private market". This will be changed to referring to just buying in the market. Households in this eligibility category will need to demonstrate exceptional need and this will be judged in relation to their current housing need and their resources. A household will be expected to sell their home prior to taking up a tenancy under the scheme.
19. As per guidance from the Mayor of London, in the unlikely event that property is not let within three months of advertising, the eligibility criteria will need to revert to the broader criteria as set by the Mayor of London.
20. Cabinet is requested to agree the following new eligibility criteria:

<b>Proposed eligibility criteria</b>
<p>The main applicant must be aged 18 or over and:</p> <ul style="list-style-type: none"> <li>• have lived in Southwark for the last 3 years; <i>or</i></li> <li>• be a key worker working in Southwark (or in a neighbouring hospital which routinely provides services for a significant number of Southwark residents) <i>or</i></li> <li>• be a Southwark resident who is fleeing domestic abuse</li> </ul>
<p>The whole household (which can be formed of two or more unrelated households or sharers) must have a :</p> <ul style="list-style-type: none"> <li>• maximum combined income of £60,000; <i>and</i></li> <li>• minimum combined income of £26,000</li> </ul>
<p>Members of the household must not:</p> <ul style="list-style-type: none"> <li>• be an existing homeowner, unless the current property is unsuitable (overcrowded/disabled access/unaffordable) and the household is unable to buy in the private market.</li> <li>• have been guilty of unacceptable behavior serious enough to make them unsuitable to be an intermediate rent tenant</li> </ul>

## Bidding

21. Most respondents felt that people should only be able to bid for a property with the number of rooms they require, so this is the recommended option but with some discretion where they may be special circumstances which mean an additional room is required. This will be defined in the final IDM report on the scheme.

## The prioritisation system

22. In the consultation, the council proposed introducing a priority star system where some categories of people would qualify for priority stars. It was proposed that where applicants have the same number of priority stars, priority would go to who had been on the waiting list for the longest time. Where this still results in a “tie” there would be a lottery system to decide the allocation.
23. The consultation asked for views about who should get priority stars. Keyworkers received the highest level of support. Many comments proposed giving key workers additional priority or having a separate scheme for key workers. However there were some counter arguments that everybody should be treated equally.
24. All groups received some level of support as indicated by the following table. Armed forces personnel got the least support at around 39%. However this was included to be in alignment with national guidance around priority for this group. The other categories were included as these are households the council is specifically looking to support. Therefore the recommended is to retain all these priority groups.

<b>Option</b>	<b>Total support</b>	<b>Percent</b>
Key workers	64	71%
Victims of domestic violence/abuse/harassment	54	60%
Carers	48	53%
People fostering or adopting who need more rooms	44	49%
Armed Forces personnel	35	39%

Option	Total support	Percent
No group should receive additional priority	16	18%
Not Answered	0	0%

25. There was a suggestion to include private rented sector tenants who are being displaced through regeneration as one of the priority categories. This would help support regeneration and help households who would not be considered to be in priority need to stay in the borough. This could also include residents displaced by regeneration activity, living in households who are not the main tenant. It is recommended that this is included as a new priority star category, but for this to be defined and regularly updated as required by the cabinet member for housing management and modernisation in consultation with the director for housing and modernisation.

### Key workers

26. The consultation sought comments on who should be included in the key worker definition. Most key worker groups proposed received high levels of support as per the following table. The responses suggested the need to make it clearer that doctors and transport police would be included within the definition of key workers.

Option	Total	Percent
Nurses, and other clinical staff employed by NHS	73	81%
Firefighters	66	73%
Teachers/teaching assistants (from non-fee charging schools)	66	73%
Police officers/Police Community Support officers (PCSO)	61	68%
Social workers, educational psychologists and therapists delivering services for the Council	56	62%
No keyworker should receive additional priority	15	17%
Other	19	21%
Not Answered	1	1%

27. There was no clear outcome in the consultation on whether the definition of key workers should include keyworkers who work in neighbouring boroughs or across London. Opinion was split equally across the three options. The recommendation is that this is restricted to key workers working in Southwark and to hospital staff in neighbouring boroughs where the hospital routinely provides services for a significant number of our residents.
28. If this is restricted to key workers working in Southwark there is potentially an issue of what happens where the key worker does not work to defined Southwark boundaries (across multiple hospitals for example), or for an employer based just over the borough boundary who provides significant services to Southwark residents (e.g. a local school, doctors, hospital, fire station etc.). So there may be a need for discretion where it can be clearly demonstrated that the keyworker is delivering services for a significant number of Southwark residents. This will be clarified in the final IDM decision on the scheme.

29. Unfortunately there was limited feedback from key worker organisations on recruitment and retention issues.
30. The education sector provided clear evidence of recruitment issues in the education sector which has largely been attributed to the cost of living. Between September 2017 and June 2018 there were 70 job listings at various primary and secondary schools across the borough. Of these 23 had nobody click to proceed to the application stage. These included posts across the range of levels from head teacher to teaching assistants and after school play workers. In 42 cases there was less than three applications. Only 4.1% of those who clicked for more information actually went on to click the application page.
31. The response from the London Fire Brigade stated that they do not have recruitment issues but over 50% of workers now live outside London which reduces London's resilience in the event of a major incident.
32. More work is required to provide the solid evidence of recruitment and retention issues to justify prioritising other proposed types of key worker. The final definition may also need to differentiate between key workers who are undertaking very short term or temporary work in Southwark and those who have a long term role working in the borough. Therefore the exact definition of key workers will be subject to continued research. This will also be aligned with the definition used in the social housing allocation scheme, which the council will be consulting on shortly. Therefore this final definition will be included in the IDM report on the final design of the scheme.

### **Tenancy renewals and savings requirements**

33. The consultation asked about what should happen at the end of a three year tenancy if the resident's income had increased. There was no clear preference for any option in the consultation as per the table below, though extending the tenancy on the same terms had the most support.

<b>Option</b>	<b>Total</b>	<b>Percent</b>
End the tenancy and expect the tenant to find alternative accommodation	12	13%
End the tenancy but offer an alternative higher rent property	19	21%
Increase the rent of the current property but lower the rent on an alternative property in the same block when it becomes vacant	23	26%
Extend/renew the tenancy on the same terms	25	28%
Other (please explain below)	9	10%
Not Answered	2	2%

34. Generally people opposed evicting somebody due to having an increased income but there were also many concerns raised about why somebody on a higher income would continue to receive a lower rent while others are still struggling. As these households would ideally be trying to save to buy a property, the recommendation is therefore that these households are prioritised to be given information about potential other solutions such as shared ownership, while

maintaining the same rent levels.

35. There were some comments about the lack of security of tenure of these units, with some arguing that the three year tenancy period should be longer. The three year period would still offer tenants greater security than renting in most of the wider private rented sector, but the council is also keen to maximise the security of tenure for residents. The actual length of the tenancy and what happens at the end of the tenancy may vary for different schemes. The council will work with any developers to maximise the long term security for these tenants.
36. The consultation asked whether there should be a requirement to save. Mainly respondents opposed a mandatory requirement. But it is recommended that this is still supported throughout the tenancy.

### **Subletting**

37. There were a number of comments in the consultation about the need to build in adequate protections around subletting, and use of the properties for very short term/holiday lettings. The council agrees with these concerns, so protections will be included in the final design of the scheme.

### **External factors that may impact on the final design and operation of the intermediate rent housing list**

38. As stated in the background section of this report, there have been a number of changes to national planning guidance which could potentially impact on the final design of the scheme. The council maintains the position that there is a need for an intermediate rent housing list to ensure that any properties developed go to those most in need of these properties. However there may be a need to adjust the proposals further depending on the outcomes of the examination in public of the London Plan and the examination in public of the New Southwark Plan.
39. On 13 September 2018 the Government published guidance on Build to Rent. This is available at <https://www.gov.uk/guidance/build-to-rent>.

### **Eligibility**

40. On the issue of eligibility for the intermediate rent units, the national planning guidance states that local authorities should not impose eligibility requirements on developers and that this should be agreed locally. It states *“Final decisions over the occupancy criteria should be made by the build to rent scheme operator, working with the local authority....eligibility should not constitute grounds for refusing a planning permission.”* It does state however that *“Eligibility criteria should be determined with regard to local household income levels, related to local rent levels.”*
41. The Mayor of London’s affordable housing and viability supplementary planning guidance states that “Discount market rent and London Living Rent are intermediate products and as such should be allocated according to intermediate eligibility criteria, which can include locally defined eligibility criteria. Where the local planning authority has an intermediate or discount market rent waiting list they should agree with the applicant a process for providing priority access to the discount market rent units for



those on the waiting list.” This is repeated in the draft London Plan with minor alterations. The London Plan also sets its own eligibility criteria of a maximum household income of £60,000 (as per the Southwark figure).

42. The GLA submitted their London Plan prior to the changes with the national planning policy framework guidance coming in to effect; therefore this did not take account of these national policy changes. The examination in public on the London has concluded. The Mayor is awaiting the Inspectors’ Report which will set out their recommendation on the Plan, whether it can proceed to adoption and any amendments that are required. The report is expected to be available October/November 2019. The London Plan should then proceed to adoption. Once the London Plan is adopted, this will have weight in any planning decision therefore the council intends to continue with the slightly amended eligibility criteria set out in this report.

### **Nominations**

43. On the issue of nominations for the intermediate rent units, the national planning guidance states *“Where authorities maintain an ‘intermediate housing list’ they may wish to suggest names from this, or potentially even their Statutory Housing list, taking into account the affordability of the homes to those on the list.”* But it also stated *“Authorities should refrain from having direct nomination rights from their housing list.”*
44. As stated in paragraph above, the Mayor of London documents state *“Where the local planning authority has an intermediate or discount market rent waiting list they should agree with the applicant a process for providing priority access to the discount market rent units for those on the waiting list.”*
45. The council firmly believes these units should be prioritised for those in most need according to the priorities set out in this report, so will continue with the plans as in this report. But the issue is about how far the council can insist on the developer taking the households from this list. The council will do everything within its powers, both formally and through working informally with landlords and developers, to ensure these units to go the households at the top of the intermediate rent list, but this may need reflecting in the final design of the scheme following the both examinations in public and the adoption of these plans.

### **Initial proposals for the final design of the scheme**

46. Due to the issues raised in section two it is not yet possible to say exactly how the scheme will operate, but the following section sets out our expected broad design for the scheme. The next IDM paper will finalise these details.
47. The council is proposing to use an in-house system to administer the list. This will be branded separately from the existing social housing register. The registration for the list would be online. This could include a single point of entry with guidance to help the household work out which list is most appropriate for them, with a single housing options database. Households will be able to be on both lists provided they meet the eligibility criteria. This process will be carefully designed to make it clear that this intermediate rent housing list is a very different option to the social housing list.

48. While the focus would be on providing advice online, there will be need for some advice and support, to help with problems registering and for advice in terms of the product and affordability.
49. Once households have registered and know their banding, they would be able to bid for intermediate branded properties on a micro site of the council's homesearch website). The microsite would ensure the properties were kept completely separate from the Part VI allocations, and ensure these properties were clearly differentiated from social rented properties to avoid confusion.
50. High priority intermediate register list households could choose to be sent email notifications of suitable properties as they become available, as this could be quite sporadic as schemes come forward.
51. The current proposal is that properties would be advertised for a set period of time. The property would be initially offered to the bidder with the highest number of priority stars. If there were still two or more equal households the property would be offered to the customer who had been on the intermediate rent housing list the longest.

### **Next steps**

52. The planning policy team is aiming for submission of the New Southwark Plan to the Secretary of State in July 2019, with the examination in public to follow. This is pending completion of work required for the submission so may be delayed until September.
53. As stated in issues for consideration section two, following changes to the national guidance there remains some uncertainty in regard to the exact position on allocation/nominations and eligibility criteria. The London Plan should be 'adopted' following receipt of the inspector's report setting out recommended changes. The report is expected to be available October/November 2019. This should help resolve these issues.
54. There are a number of practical details to work through, and a full equalities impact will need to be carried out, prior to getting the scheme up and running. Therefore as stated earlier in this report, the recommendation of is that the final design of the scheme be agreed through an IDM report by the cabinet member for housing management and modernisation in consultation with the strategic director for housing and modernisation.
55. Following the implementation of the list, it is also proposed that the eligibility and priority categories are reviewed after one year to see how well these are working, for example the number of households in each priority category, and the number of lets going to each priority category. This will also include an analysis of the equalities data gathered. This will be covered in a further report.

### **Policy implications**

56. The final policy will need to align with the council's planning policies around intermediate housing following the examination in public of the New Southwark Plan.
57. The final policy design will be agreed through a further IDM report on the

intermediate rent housing list.

58. The council will need to keep this policy under review to assess how effectively the new list is operating, and to consider any equalities issues.
59. The intermediate rent housing list will be kept separate from the social housing allocations scheme so will not impact on how the council meets its duties under the 1996 Housing Act Part VI. However, some households could be on both lists. For simplicity there will be need to ensure consistent wording in some areas between the two schemes, such as around armed forces, domestic violence, fostering, key worker definitions etc.

### **Community impact statement**

60. The council is still in the process of identifying and analysing the potential equalities impacts of this proposed policy. No significant concerns were raised through the consultation (as covered in Appendix A). There is very limited data in relation to protected characteristics for people from the key priority groups. Many of the likely recipients of this housing are likely to be from the private rented sector where there is again very little data. Therefore it will be important to ensure this is closely monitored once the scheme is implemented to help assess if the policy is having any unintended impact on any particular protected characteristic. This will require ongoing monitoring of both applications to join the list, and at the letting stage.

### **Resource implications**

#### **Financial issues**

61. There will be resource implications for introducing and administering the new intermediate rent housing list. Officers are still working to fully establish the resource requirements which will be dependent on the final design of the scheme. These will be included in the IDM report on the final design for the scheme.

#### **Budget issues**

62. The funding for ongoing annual monitoring and administration will be covered in the next IDM report.

#### **Staffing issues**

63. There will be need for a dedicated project officer to coordinate the initial setting up of the scheme once agreed. This will be confirmed in the next IDM Report.
64. There is likely to be peaks and troughs in the work administering the intermediate rent housing list, particularly as new schemes come forward. This will need to be monitored closely and the resource requirements will need to be kept under review. As soon as people are allowed to join the intermediate rent housing list, there will need to be an officer in place to administer the applications. To build in flexibility officers could be appointed on fixed term contracts.

### **Legal implications**

65. Officers have sought advice on the potential legal implications in the development of these proposals. The full legal implications of the final agreed scheme will be included in the IDM report.

### **Consultation**

66. A summary of the consultation feedback was included in section 1. This also explained how the consultation feedback has impacted on the plans for the intermediate rent housing list. As this report is not fundamentally altering the proposals for the intermediate rent housing list no further consultation is proposed.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Democracy**

67. Section 106 of the Town and Country Planning Act 1990 (as amended) (TCPA) allows a local planning authority to impose restrictions on the development or use of land or to require land to be used in a specific way. The delivery of affordable housing is one such use of land, which is commonly secured through the use of agreements between the local planning authority and the developer. Such agreements are enforceable by the local planning authority against the person who first enters into the agreement, and any person deriving title to the land from that person, pursuant to s.106 (3) TCPA. Intermediate rented housing may be secured through such agreements in the same way as other forms of affordable housing.
68. The TCPA does not restrict the terms which may be imposed by the planning authority on eligibility for affordable housing or the terms on which it may be offered: this is a matter which falls to be determined by application of the local authority's housing policies. In relation to housing offered by private landlords, the authority has discretion to set eligibility and allocation criteria in accordance with those policies; to select applicants who satisfy those criteria; and to nominate those individuals to the developer as tenants.
69. However, this is not the case in relation to housing offered by PRPs. Section 159 of the Housing Act 1996 states that a local housing authority "allocates" housing accommodation when it "nominates" a person to be an assured tenant of a PRP: under s.159 (4) this includes requiring that housing accommodation be made available to one of a number of persons put forward by the authority. When this applies, the local housing authority must apply the social housing allocation scheme operated under s.166A (1) of that Act in allocating the housing accommodation, and not any other scheme (such as the proposed "intermediate rent" waiting list proposed for consultation). The proposed method of allowing the PRP to advertise for tenants, but requiring it to apply the authority's eligibility and priority criteria, avoids this issue as the authority is not thereby "nominating" any individual or individuals to be tenant(s) of the PRP.
70. The final design of the scheme is likely to prioritise certain groups of residents' access to reduced-cost rented housing in Southwark. This could have the effect of indirectly discriminating against other residents with protected characteristics under the Equality Act 2010. Officers recommend that a full equalities impact

assessment be carried out before the design is finalised so that the effect on persons with protected characteristics under the Equality Act 2010 can be analysed, and a view taken on whether the impact on particular groups is justified as a proportionate means of achieving a legitimate aim. Further officers propose that the position is reviewed further after the list has been in operation for one year. This will be important for the council to be able to demonstrate compliance with its duties under the Act, but care must be taken to ensure that monitoring is carried out in a way which respects the principles of the Data Protection Act 2018 and the Human Rights Act 1988.

### Strategic Director of Finance and Governance

71. The strategic director of finance and governance notes the proposal to introduce an intermediate rent housing list in response to changes in national planning policy framework (NPPF), which enables developers to meet the requirements for 'affordable housing' through private discount market products. This report sets out the results of the public consultation undertaken and outlines the proposed eligibility and priority criteria for the intermediate housing list. Further work is required to finalise the proposals (to form part of the New Southwark Plan), and fully determine the operational requirements going forward. Any resource implications will be identified at IDM approval stage and addressed as part of 2020-21 budget planning.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
New Southwark Plan Proposed Submission Version: Amended Policies 2019	Planning Policy 160 Tooley Street London SE1 2QH	Juliet Seymour 020 7525 0508
<b>Link (please copy and paste into your browser):</b>  <a href="https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=4">https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=4</a>		

### APPENDICES

No.	Title
Appendix A	Southwark Intermediate Housing List Feedback Summary Report (circulated separately)

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Kieron Williams, Housing Management and Modernisation	
<b>Lead Officer</b>	Michael Scorer, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Robert Weallans, Housing Strategy Manager	
<b>Version</b>	Final	
<b>Dated</b>	12 June 2019	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	5 July 2019	