

Meeting

Housing and Growth Committee

Date and time

Tuesday 17th January, 2023

At 7.00 PM

Venue

Hendon Town Hall, The Burroughs, London NW4 4BG

TO: Members of Housing and Growth Committee (Quorum 3)

Chair: Councillor Ross Houston
Vice Chair: Councillor Anne Clarke

Councillors

Zahra Beg	Humayune Khalick	Ella Rose
Richard Cornelius	Kath McGuirk	Daniel Thomas
Paul Edwards	Alex Prager	Sarah Wardle

Substitute Members

Joshua Conway	Val Duschinsky	Paul Lemon
Geof Cooke	Laithe Jajeh	Alison Moore

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Thursday 12 January 2023 at 10AM. Requests must be submitted to Allan Siao Ming Witherick allan.witherick@barnet.gov.uk .

**You are requested to attend the above meeting for which an agenda is attached.
Andrew Charlwood – Head of Governance**

Governance Services contact: Allan Siao Ming Witherick allan.witherick@barnet.gov.uk
Media Relations Contact: Tristan Garrick 020 8359 2454 Tristan.Garrick@Barnet.gov.uk

Assurance Group

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Decisions of the Housing and Growth Committee

16 November 2022

AGENDA ITEM 1

Members Present:-

Councillor Ross Houston (Chair)
Councillor Anne Clarke (Vice-Chair)

Councillor Richard Cornelius
Councillor Paul Edwards
Councillor Humayune Khalick
Councillor Kath McGuirk

Councillor Alex Prager
Councillor Ella Rose
Councillor Daniel Thomas
Councillor Sarah Wardle

Apologies for Absence

Councillor Zahra Beg

1. Minutes of the Previous Meeting

RESOLVED that the minutes of the meeting of the Housing and Growth Committee held on 25 October 2022 be approved as a correct record.

2. Absence of Members

Apologies were received from Councillor Z Beg.

3. Declarations of Members Disclosable Pecuniary Interests and Non-Pecuniary Interests

Councillor A Clarke declared an interest in relation to item 12 of the Agenda, Housing Revenue Account (HRA) Business Plan, by virtue of being a Member of the Greater London Authority.

4. Report of the Monitoring Officer (if any)

There was none.

5. Public Questions and Comments (if any)

The Chair reported that a series of questions had been received after the constitutional deadline had passed. These related primarily to the Brent Cross Update item and a written response had been provided.

6. Members' Items (if any)

There were none.

7. Brent Cross Update

The Chair introduced the report and asked for questions.

The Committee queried whether the allocations scheme for Whitefield Estate was on track. Officers confirmed that they were, with completion due around April 2023.

It was reported that a number of the public questions which had been received were related to planning and consultation and Members queried how issues such as access and the equalities impact would be assessed. The Officers confirmed that this would be dealt with through the Statement of Community Involvement which would form part of the formal planning application process.

With regards to the accessibility of the open space and the potential marked pitches Officers gave clarification that although some might be marked out, they would be open access for general use. This was separate from the bookable space provision.

Members of the Committee recognised the close links with Middlesex University and past partnership work and questioned the impact on this on the recent announcement of a partnership with Sheffield Hallam University at Brent Cross. Officers confirmed that they had kept Middlesex University engaged throughout the process. The catchments of the two universities were different and Middlesex University had been supportive.

RESOLVED unanimously that the Housing and Growth Committee:

- 1. Noted the progress across the Brent Cross programme as detailed in the report; notably on the station works programme and the legal agreements required for the commencement of 5 development plots within the first phase of Brent Cross Town.**
- 2. Approved that home loss and disturbance payments for secure tenants of the Whitefield Estate Part 1 are to be administered by Barnet Homes for 29 properties as set out in paragraph 1.41 - 1.42 of the report.**
- 3. Delegated to the Deputy Chief Executive the authority to extend engagement of the Mace project management team to maintain the Brent Cross West programme through to Station opening, in line with the councils procurement rules as set out in paragraph 1.11 of this report.**

8. Annual Housing and Growth Committee Business Planning 2023-27

The Chair introduced the Business Planning item which would feed into the Council budget setting process. It covered a number of areas and there was recognition of the inflationary pressures, cost-of-living crises and uncertainty around Government grant income. This would go on to the Policy and Resources Committee before consideration and recommendation to Full Council.

A vote on the recommendations in the report was held.

6 votes for.

4 votes in abstention.

RESOLVED that the Housing and Growth Committee:

- 1. Considered and approved the savings and note the pressures proposals that relate to the committee as set out in Appendix A after having considered the**

initial equalities impacts and refer these recommendations on to Policy and Resources Committee.

2. **Approved the proposed fees and charges for Housing Revenue Account Leaseholder Charges for 2023/24 set out in Appendix B that will be included in the budget proposals submitted to Policy and Resources Committee for consideration and recommendation to Full Council.**
3. **Delegated authority to the Deputy Chief Executive Officer in consultation with the Chair of Housing and Growth Committee to make any amendments to the savings detailed in Appendix A before they are recommended to Policy and Resource Committee to form part of the overall Medium Term Financial Strategy.**

9. Housing & Growth Forecast Financial Outturn at Month 6 (September 2022)

The Chair introduced the item and noted in particular the concerns around the viability of the Open Door Homes programme due to increased interest rates. The Barnet Group and the Council were working through potential mitigation solutions. Other areas, such as the Brent Cross programme might also be impacted.

RESOLVED unanimously that the Housing and Growth Committee notes:

1. **The current forecast financial outturn for 2022-23.**
2. **The projected use of reserves.**

10. Fire Safety Update

The Chair introduced the item noting that this was an area where legislative changes were having an impact and that systems would need to be updated. There would need to be a further report detailing how the Council will address this, for example with the appointment of Accountable Person and Responsible Person roles outlined in the Building Safety Act.

Members of the Committee queried whether the Chair was satisfied with the speed of activity both by Barnet Council and Registered Providers. The Chair responded that whilst the council was satisfied with progress, they would not be fully satisfied until all of the issues had been addressed. The Council needed to continue to press for changes and keep the pressure on the private rented sector. Officers confirmed that resources had increased and where necessary taking enforcement action where there was no progress.

Questions were raised as to the impact on insulation due to the removal of cladding where people had not been decanted. Officers responded that they were working with residents and had put mitigations in place to reduce condensation and provide additional support.

In light of the recent national reports about the health impact of mould Members queried whether there were any known issues. Officers responded that the stock acquisitions were always checked and they undertook surveys with the existing stock. Where an issue was identified they looked to get a repairs team in and had a number of processes but it was an ongoing piece of work.

There was a general desire from the Committee to invite Registered Providers to the meeting to provide feedback but recognition that it would not be possible to require their attendance. Members noted that the properties in question housed public workers from the

NHS, police service, Council and others who contributed to society and that the landlords should be held to account.

RESOLVED unanimously that the Housing and Growth Committee note the Fire Safety Update.

11. Quarter 2, 2022/23 performance report for Re and The Barnet Group services

The Chair introduced the report noting that the backlog caused by COVID-19 was being tackled and that the number of households in temporary accommodation had reduced although the demand for properties still outstripped supply.

There were no questions from the Members of the Committee.

RESOLVED unanimously that the Housing and Growth Committee noted the Quarter 2 (Q2) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) and Barnet Homes (The Barnet Group) that fell under the remit of the Committee.

12. Housing Revenue Account (HRA) Business Plan

The Chair introduced the report and highlighted that the time period for the use of right to buy receipts had been increased. The Chair noted that the Council had an investment programme and continued to use this on new properties as well as works to improve the Energy Performance Certificate (EPC) standard of properties. There were a number of unknowns awaited due to proposed rent caps and due to other changes in the economy.

Councillor A Clarke declared a non-pecuniary interest due to being a member of the Greater London Authority which was referenced in the report.

RESOLVED unanimously that the Housing and Growth Committee approved the updated Housing Revenue Account Business Plan as attached in Appendix 1 of the report.

13. Full Business Cases for GLA 'Building Council Homes for Londoners' funded housing schemes

The Chair introduced the report for the three schemes which were at the final stages. The permissions the recommendations granted would allow the funding to be accessed and works started.

It was noted that the old ward boundaries had been used in the report but this did not have a material impact.

Members of the Committee noted that with some of the applications concerns had been raised by neighbouring residents. For example, access to the sites which had Highways implications. Officers confirmed that they had met with some of the potential contractors to look at how concerns could be mitigated. The Chair and Vice-Chair asked Officers to contact them if they needed support lobbying on access issues with the Greater London Authority.

RESOLVED unanimously that the Housing and Growth Committee:

1. **Noted and approved the Full Business Case for the Broadfields HA8 (GLA87), project.**
2. **Delegated authority to the Director of Growth to agree the appointment of the preferred contractor at Broadfields once they are identified. This is dependent on the final contract value sitting within the approved budget and satisfactory financial due diligence checks being undertaken.**
3. **Noted and approved the Full Business Case for the Coppetts Road, N10 (GLA 87)project.**
4. **Delegated authority to the Director of Growth to agree the appointment of the preferred contractor at Coppetts Road once they are identified. This is dependent on the final contract value sitting within the approved budget and satisfactory financial due diligence checks being undertaken.**
5. **Noted and approved the Full Business Case for The Grange, N2 (HRA 250) project.**
6. **Delegated authority to the Director of Growth to agree the appointment of the preferred contractor at The Grange once they are identified. This is dependent on the final contract value sitting within the approved budget and satisfactory financial due diligence checks being undertaken.**

14. Large Panel System Block Analysis Strategic Outline Case

The Chair introduced the report noting that there were further details held in the Part 2, Exempt Report.

Members queried whether all options were being considered. The Chair responded that the report would need to look at all options and report back to Councillors for a decision, nothing had been ruled out.

A Member of the Committee questioned whether work and inspections had continued on properties which had “zig zag staircases”. Officers confirmed that in some cases these areas had been sealed off to prevent inappropriate use for storage and that works had been undertaken at some of them separately.

The Housing and Growth Committee agreed to take additional questions during the exempt session.

During the exempt session the Housing and Growth Committee agreed the recommendations as set out in the agenda papers.

RESOLVED unanimously that the Housing and Growth Committee:

- 1) **Noted the issues with the Large Panel System blocks.**
- 2) **Approved the options appraisal and resident engagement strategy.**
- 3) **Noted that the options appraisals work is budgeted for and included in the Housing Revenue Account Business Plan.**

15. Outline Business Case for the Regeneration of Grahame Park North East

The Chair introduced the item and noted that the project had been split in to two stages and that this was a positive application in general. It was supporting regeneration which would

improve things for the existing residents. The Housing and Growth Committee were supportive of the application.

RESOLVED unanimously that the Housing and Growth Committee:

1. **Noted and approved the Outline Business Case, including the progression of the design to planning submission stage for the land identified on the plan in appendix 3.**
2. **Noted that the budget was subject to approval by Policy and Resources Committee in December 2022.**
3. **Noted that the request for approval of the procurement and development delivery strategy would be presented to Housing and Growth Committee at a later date.**
4. **Noted that the Full Business Case would be presented to Housing and Growth Committee ahead of planning submission at a later date.**
5. **Delegated approval to the Director of Growth for the decant strategy including the offer to the leaseholders.**
6. **Delegated approval to the Director of Growth for the variation of the Principal Development Agreement with Choices for Grahame Park, to remove the area of land in Appendix 3 of the report.**
7. **Delegated to the Director of Growth the approval of the appropriation of the site, if required, from the Housing Revenue Account to Planning purposes.**

16. Committee Forward Work Programme

The Chair noted that the Housing Allocations Scheme and Tenancy Strategy that had originally been scheduled for the January 2023 meeting had now been moved to March. This was to allow more time for consultation with Members before approval.

A Member of the Housing and Growth Committee requested a briefing on mould be brought to the January meeting. The Chair stated that he had discussed this prior to the meeting with colleagues and that it was agreed that this should happen. This should cover information from Barnet Homes and social housing providers to provide a headline summary on mould looking at the number of complaints and how they had been dealt with. The Committee agreed that this would be an area of interest.

RESOLVED that the Committee noted the Work Programme.

17. Any other Items that the Chair decides are urgent

There were none.

18. Motion to Exclude the Press and Public

The Committee resolved – that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (as amended).

19. EXEMPT: Brent Cross Update

RESOLVED unanimously that the Housing and Growth Committee noted the information contained in the Exempt report.

20. EXEMPT: Full Business Cases for GLA 'Building Council Homes for Londoners' funded housing schemes

RESOLVED unanimously that the Housing and Growth Committee agreed the recommendations that were contained in the Exempt report.

21. EXEMPT: Large Panel System Block Analysis Strategic Outline Case

RESOLVED unanimously that the Housing and Growth Committee agreed the recommendations that were contained in the Exempt report.

22. EXEMPT: Outline Business Case for the Regeneration of Grahame Park North East

RESOLVED unanimously that the Housing and Growth Committee agreed the recommendations that were contained in the Exempt report.

23. Any other exempt items that the Chair decides are urgent

There were none.

The meeting finished at 8.12 pm

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Housing & Growth Committee AGENDA ITEM 8

17 January 2023

Title	Damp and Mould Response
Report of	Chair of Housing & Growth Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Council housing damp and mould management process Appendix B – Damp and mould action plan
Officer Contact Details	Susan Curran, Head of Housing and Regeneration Susan.Curran@Barnet.gov.uk Tim Mulvenna, Chief Executive, The Barnet Group Tim.Mulvenna@thebarnetgroup.org Belinda Livesey, Group Manager, Private Sector Housing, Re. Belinda.Livesey@barnet.gov.uk Nicola Bird, Housing Development and Regeneration Mgr. Nicola.Bird@barnet.gov.uk

Summary

This report provides an update on damp and mould issues in Barnet, including progress with addressing this in council properties managed by Barnet Homes, and activity in relation to relevant Registered Providers (RPs) and across the private sector housing stock.

Officers Recommendations

That the Committee note the report.

1. Why this report is needed

- 1.1 This report provides an update on damp and mould issues in Barnet, including progress across council properties managed by Barnet Homes, and activity in relation to relevant Registered Providers (RPs) and across the private sector housing stock.
- 1.2 Barnet's Housing Strategy is currently being refreshed, and the emerging themes presented to Housing and Growth Committee in October 2022 included a focus on "*ensuring safe, sustainable council housing*", and "*on raising quality and standards in the private rented sector*", which together will include raising awareness of, and where the council has authority to do so, tackling damp and mould issues.
- 1.3 The issue of damp and mould is one consideration in relation to a general assessment of property condition. Within council homes it is addressed in more detail through Barnet Homes' Asset Management Strategy 2022-27. Across the registered providers and within the private rented sector it is a matter that the council engages with as a point of escalation, when issues become an unresolved health and safety hazard.

Key local updates

Council Housing

- 1.4 The Barnet Homes Management Agreement requires the delivery of core services to agreed service levels. Not only are repairs and maintenance (R&M) a service that is critical to ensuring that residents are kept safe, and that housing stock is kept in decent condition; it is also well established that a social housing landlord's R&M service is the single biggest determinant of overall tenant perception of the landlord.
- 1.5 Barnet Homes has a very good understanding of the condition of the housing stock following a recent and extensive stock condition survey completed by a third-party expert. The proactive gathering of stock data has contributed to the Barnet Homes' Asset Management Strategy 2022-27 for the council's social housing stock. Of the retained council stock, 100% of external surveys and 80% of internal surveys to the properties were completed by the end of Q2 2022/23. The remaining 20% of the internal stock is due to be surveyed in Q1 2023/24, with 20% of the stock surveyed annually thereafter. A programme for completing stock condition surveys of non-secure properties on regeneration sites with a vacant possession date more than five years away, is also underway, with c.160 properties on the Grahame Park Estate due to be surveyed by the end of March 2023.
- 1.6 In line with the requirements of the Housing Act 2004, Barnet Homes uses the formal scoring system within the Housing Health and Safety Rating System (HHSRS) to calculate a risk score following inspections and demonstrate the seriousness of hazards that can cause harm in dwellings. A key element of the stock condition surveys has been an assessment of any damp or mould issues categorised as severe (category 1), moderate or slight (category 2).

- 1.7 More than 70% of the stock comprises flats and maisonettes, 22% are houses or bungalows, and the remainder are other asset types including rooms in shared accommodation, or flats used for non-residential purposes. The age of the stock is broad; from Victorian era properties to those developed in the past few decades.
- 1.8 Barnet Homes also identifies issues reactively; its in-house Repairs Team identifies damp and mould issues while delivering its responsive repairs service, and disrepair cases will often identify issues relating to damp and mould. Barnet Homes may also be alerted to damp and mould issues through feedback from residents including complaints or through enquiries from elected members.
- 1.9 Following a review of the Housing Ombudsman's thematic spotlight report on damp and mould ("It's not lifestyle") published in October 2021, a number of changes have already been implemented to the way cases of damp and mould, reported across the stock, are managed.
- 1.10 The process for responding to issues raised by residents is set out in Appendix A. Each case is handled individually, and exceptions may be made to the process based on individual circumstances. Other actions already implemented include a review to strengthen the information Barnet Homes publishes on its website for residents about damp, mould, and compensation. Barnet Homes is also carrying out a review of the details of the Awaab Ishak¹ case to understand exactly how this happened and ensure its procedures are robust enough to prevent a tragic incident like this occurring within Barnet Council stock.
- 1.11 There are often multiple factors involved in cases of damp and mould including inadequate ventilation, property condition issues, property age or construction challenges, potential overcrowding, and cluttering or hoarding. Presence of damp and mould may also be a cause or a symptom of health or social care issues. Whilst the stock condition data provides a programme of work to tackle the issue, incidences of damp and mould can occur anywhere and at anytime, so the initial focus must be on ensuring any reports of damp and mould can be dealt with robustly. To improve service provision in this area Barnet Homes is recruiting three additional members of staff to deal specifically with reports of and response to damp and mould.
- 1.12 At present in Barnet Council's retained stock there are 22 cases of 'severe' damp or mould, which is defined as representing a failure to meet the Decent Homes standard ([A decent home: definition and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance)). Severe (category 1) hazards are dealt with immediately by Barnet Homes' Repairs Team to maintain compliance with the Decent Homes standard. Of the 22, 11 have had the works completed. Barnet Homes aim to have the rest completed by end of February,

¹ *Two-year-old Awaab Ishak died on 21 December 2020. The inquest into Awaab's death concluded that the toddler died as a result of a severe respiratory condition caused due to prolonged exposure to mould in his family's housing association flat in Rochdale. The property had inadequate ventilation and was not equipped for normal day-to-day living activities, which led to excess damp and condensation. The Inquest found that too much emphasis was placed by the Housing Association on the cause of the mould being due to the parent's lifestyle and the Housing Association failed to identify the lack of an adequate ventilation system as a factor in the presence of the mould. Due to an ongoing disrepair claim no remedial action was taken. The Inquest concluded that remedial works to treat and remove the existing mould should have been undertaken.*

subject to access being provided. In all cases Barnet Homes have actions in place to manage the mould or residents have been moved out while work is completed.

- 1.13 There are also 729 cases of 'moderate' damp or mould, and a further 827 properties in the 'slight' category. Both categories are defined as indicating a pass of the Decent Homes Standard but are noted as an issue. Barnet Homes is in the process of developing a programme of work to address the Moderate (category 2, band D) and the Slight (category 2, band E) hazards. This focus would require significant additional investment, which is estimated to be in the region of £2m. It will need to be funded by the Housing Revenue Account (HRA) and is being reviewed as part of an update to the HRA business plan.
- 1.14 Complaints regarding damp and mould are monitored, and when residents raise issues regarding this the damp and mould process is triggered. Between 1 June and 30 November 2022, 53 complaints that included an issue regarding damp, mould, or condensation were received (approximately 10% of all complaints received); an average of 9 per month in this period.
- 1.15 There are currently 142 live cases of damp/mould being actively managed through Barnet Homes' damp and mould process, inclusive of the 22 'severe' stock condition referrals outlined previously.
- 1.16 Barnet Homes' Asset Management Strategy 2022-27 includes a theme to 'Continue to maintain homes to ensure they are safe, energy efficient, and provide a healthy and fit-for-purpose living environment for our customers. As part of this, Barnet Homes commits to continuing to "develop and implement systems and protocols that deliver a proactive, efficient, and effective asset maintenance regime to ensure all the homes [rented to] customers are free from dampness and excessive condensation, [and] are capable of being kept warm and well-ventilated to mitigate against the risk of an unacceptably unhealthy living environment."

Registered Providers

- 1.17 The council has written to all private registered providers (RPs) operating in Barnet, seeking details of the number of complaints received from residents in relation to damp / mould, how their organisation is managing such issues as they arise and what action is being taken to mitigate the risks. Whilst the council has no authority over RPs on this matter, all RPs are regulated by the Regulator of Social Housing and have been required to respond to the regulator by 19 December 2022 on the issue of damp and mould, setting out their approach to assessing the extent and prevalence of damp and mould issues, details of their most recent assessment and prevalence within their homes, the actions they are taking to remedy any issues and hazards, and how they ensure issues are identified and dealt with promptly and effectively when raised by residents.
- 1.18 In November 2022, Barnet Council emailed a damp and mould questionnaire to 41 registered providers in Barnet, with a deadline to respond by 16 December 2022. As of 6th January 2023, 25 responses (61% response rate) have been received. Below shows the data collected from those responses:
 - The total number of units - 6216
 - Total number of complaints (1st April 2019 – present) - 146

- Category 1 – 4
- Category 2 – 42

- 1.19 The RPs with the largest amount of stock in Barnet that have responded to the questionnaire are Peabody, Metropolitan Thames Valley (MTVH), Homegroup, Network Homes and London and Quadrant (L&Q). They have reviewed their Damp and Mould policy and procedures to ensure that they are supportive and informative to residents at their first point of contact. This includes improvements across customer engagement, repair diagnosis and remediation, complaints, data and responsiveness. Please see below a summary of actions that have been taken:
- Providing specialist damp and mould training to a range of frontline staff and key contractors on damp and mould to increase the awareness. This ensures that everyone can help our residents at their first point of contact.
 - Dedicated teams to provide closer case management and technical support for more complex and escalated cases, proactive work associated with damp and mould prevention and early detection.
 - Damp and mould dashboard that covers live jobs and flags high risk properties, blocks and estates.
 - Introduced damp and mould specific questions to regular surveys, e.g., from perception and transaction, fuel poverty and completion text surveys which are sent to customers.
 - Damp and Mould communications with residents, including leaflets and websites to ensure they are informative, and resident focused. Advice on damp, mould and condensation and how to report issues.

Private Rented Sector

- 1.20 Raising standards in the private rented sector and ensuring homes are safe and secure is a key priority for the council. This commitment will be further strengthened through the new Housing Strategy that is currently in preparation and will include a focus on raising quality and standards in the private rented sector such as through licensing and bringing forward a private tenants' rights charter.
- 1.21 A combination of methods are used to ensure compliance with the Housing Act 2004 and other relevant legislation relating to ensuring minimum standards are met in the private rented sector. The Housing Health and Safety Rating System (HHSRS) is a risk-based evaluation tool that is used to help local authorities identify and protect against potential risks and hazards to health and safety due to deficiencies identified in dwellings. Damp and mould are one of twenty-nine potential risks/hazards. This system helps to classify reported issues and determine when the council must act to ensure the safety of residents in Barnet.
- 1.22 Service requests from members of the public, other departments, councillors etc are dealt with reactively by the Housing Enforcement Team. An initial assessment is completed based on a questionnaire and photographs when they are provided, inspections are then prioritised based upon risk and a lack of co-operation by the

landlord. All investigations of service requests and enforcement decisions are made in line with the Council's Regulatory Services Enforcement Policy.

- 1.23 Officers' caseloads are reviewed with their Team Leader on a regular basis, and 9% of closed cases are audited monthly, to ensure that the investigation has been undertaken appropriately and necessary enforcement action is taken. All notices, orders and licences issued are checked by a senior officer.
- 1.24 The Housing Enforcement Team works closely with Social Services and Barnet Homes in relation to vulnerable tenants and tenants requiring urgent rehousing due to their housing conditions. A senior officer sits on the council's multi agency panel reviewing and prioritising next steps in relation to hoarded, filthy and verminous premises. Such properties are often owner occupied and in a poor condition.
- 1.25 Housing association service requests are considered where in-house complaints processes have already been used, unless the complaint is urgent, or the occupiers are vulnerable.
- 1.26 The council also utilises proactive licensing processes to ensure oversight of housing conditions. In addition to mandatory HMO licensing, a full borough additional licensing scheme for HMOs that are occupied by three or more persons, or 2 or more households, is now in operation.
- 1.27 The Additional HMO Licensing scheme also includes any buildings converted into self-contained flats that don't meet the Building Regulations 1991(or later) and:
 - the building is 3 or more storeys in height
 - there are at least 3 flats
 - all the flats are privately rented
 - both the building and self-contained flats are under the same ownership/control
- 1.28 The first such scheme commenced in July 2016 and a new scheme commenced in October 2022. All licensed premises have an HHSRS inspection completed by the Private Sector Housing Team as part of the HMO Licensing process. Inspections are completed proactively to ensure that major conditions are complied with, and category 1 hazards are reduced. All service requests from occupiers/neighbours are followed up reactively by the Housing Enforcement Team, as previously noted.
- 1.29 As agreed by Housing and Growth Committee in 17th February 2022, the Selective Licensing scheme is due to be introduced in Spring 2023 across Burnt Oak, Colindale North and Colindale South wards. This will cover the entire rented sector in these areas. A further consultation is due to be commenced regarding further wards that are being considered for Selective Licensing. If these are found to be suitable, then such a scheme will require approval by the secretary of state.
- 1.30 The council's Environmental Health (EH) Service uses the Idox Uniform data management system to record and monitor all licensing and housing conditions related service requests, and associated enforcement activities. This same system is used to calculate and record HHSRS assessments. At present there are 118 service requests under investigation where damp (including leaks) and mould are reported as one of the key problems. This is more than 50% of the service requests

being investigated reported to EH as “disrepair” or “urgent disrepair” case. This may be slightly misleading as it is based on the initial request for service. There may be other cases identified on inspection.

- 1.31 Under the Housing Health & Safety Rating System (England) Regulations 2005, which are regulations made under the Housing Act 2004, 29 hazards are identified of which Damp and Mould is one. The highest risk hazards assessed are categorised as category 1 (A-C), the lower risk Category 2. Since April 2019, 752 dwellings have had category 1 hazards reduced following the involvement of the Private Sector Housing Team. Of these 9.4% related to Damp and Mould. A much higher number relate to the hazard of “Excess Cold” which has a significant overlap with the Damp and Mould hazard.

Temporary accommodation

- 1.32 The Housing Options service within Barnet Homes has a compliance programme through which all properties in use for temporary accommodation (TA) are inspected on a rolling annual basis by Barnet Homes’ surveyors. Inspection forms are reviewed by Barnet Homes’ Health, Safety, and Compliance Team, and issues are graded in priority order with the most urgent requiring attention within 24 hours and the less urgent in 7-15 days. This includes incidences of damp and mould.
- 1.33 Where damp and mould, or any other repair issue, is identified, the TA provider is required to address it. The Contracts and Compliance Team administers the compliance programme and monitors the progress and completion of repairs or remedial works by the TA providers.
- 1.34 Barnet Homes is also part of a Pan London TA inspection service called Setting the Standard; 31 London boroughs participate in this programme. This temporary accommodation inspections service was set up by the London Housing Directors’ Group with the support of London Councils and was launched in September 2020. It aims to ensure all nightly paid bed and breakfast and studio flats used by local authorities as TA meet the minimum quality standard. Properties are inspected on an annual rolling programme to ensure quality is maintained. Any identified serious issues (Category 1 hazards) are referred to the Environmental Health department of the borough concerned for action or enforcement.
- 1.35 If a tenant living in TA complains of damp and mould, the Housing Options service will send a surveyor to inspect in the first instance and will then issue the outcome to the TA provider who has responsibility for the repairs. These are monitored by the Contracts and Compliance Team as above.
- 1.36 Since the tragic case of Awaab Ishak, Housing Options staff are reporting an increase in the number of clients contacting us, primarily from the private rented sector, to report damp and mould in their properties.
- 1.37 To ensure a comprehensive approach to conditions in the private rented sector, and try and reduce the number of homelessness applications to the council due to poor housing conditions (including Damp and Mould), an additional Housing Enforcement Officer is to be recruited to the Private Sector Housing Team.

1.38 This new role should enable the tenants applying for rehousing to be prioritised for an inspection, and more rapid engagement with landlords around improvement, so that the tenancy can be maintained where possible. This resource will also help put a system in place to audit Temporary Accommodation to try to ensure appropriate minimum standards are being met. This new capacity will be a pilot, and as such the working process/requirements may be flexed, as necessary, over time. The position will be funded from the Housing General Fund.

Action Plan

1.39 An action plan has been developed to focus the council's response to damp and mould. This is set out in Appendix B.

2. Reasons for recommendations

2.1 In November 2022, the committee asked for a report about the handling of complaints and issues by Barnet Homes and Social Housing Providers.

2.2 Further to the tragic death of Awaab Ishak, and the publication of the coroner's report on 15th November 2022, there have been several communications from government, regulators and the ombudsman with directions and advice for landlords and local authorities. These are captured below for reference.

2.3 On 19th November 2022, the Secretary of State (SoS) wrote to local housing authorities to remind of the duty under the Housing Act 2004 ("the Act") to keep housing conditions in their area under review, with a view to identifying any action that may need to be taken by them under the Act (section 3(1)).

2.4 The Secretary of State has directed, under section 3(3) of the Act, that all local housing authorities in carrying out their duty to review housing conditions in their area must:

- have particular regard to high scoring (bands D and E) category 2 damp and mould hazards, as outlined in the guidance 'Housing health and safety rating system (HHSRS) enforcement guidance: housing conditions.'
- supply the department with an assessment of damp and mould issues affecting privately rented properties in the authority's area, including the prevalence of categories 1 and 2 damp and mould hazards; and
- supply the department with an assessment of action the authority has identified that may need to be taken in relation to damp and mould issues affecting privately rented properties in the authority's area.

In addition, pursuant to the duties under section 3(3) of the Act, the SoS asked for the following data covering the last three 12-monthly reporting periods for privately rented properties in the authority's area:

- How many damp and mould hazards the authority has remediated, compared to your assessment of the prevalence of these hazards.

- How many times the authority has taken enforcement action to remedy damp and mould hazards and the form this has taken.
- How many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould hazards.
- How many prosecutions have been successfully pursued in relation to damp and mould hazards.

Furthermore, the SoS asked local housing authorities to set out how they are prioritising enforcement of housing standards generally, across all tenures, including the plans in place to ensure adequate enforcement capacity to drive up standards in the private rented sector.

- 2.5 On 19th November 2022, the Secretary of State also wrote to Social Housing Providers to ask them to make an assessment of the prevalence of category 1 and 2 damp and mould issues in their properties, and to identify required actions; and to request they self-refer to the housing regulator if they are in breach of standards. The council has issued a survey to social landlords to gather such data from across the sector, in order to understand the scale of damp and mould issues locally.
- 2.6 On 29th November 2022, the Housing Ombudsman wrote to landlords to remind them about the Spotlight report from 2021 and its 26 recommendations. Two key elements were highlighted in this letter: (1) a recommendation for landlords to take a zero-tolerance approach to damp and mould, with dedicated policy for decisions and an urgent, proactive, approach; and (2) to remind landlords that inferring blame for damp and mould on tenants 'lifestyle choices' and 'behaviours' is deemed heavy-handed and may lay the landlord open to a potential finding of maladministration. The ombudsman also reminded landlords of the importance of having an accessible complaints procedure in place.
- 2.7 This report captures the current status of services and casework relating to Damp and Mould, setting out known data, and identifying where this is still being gathered in preparation for the required responses to the SoS. Where appropriate, recommendations for improvements have been captured and considered, and the action plan at Appendix B sets out further steps that have been identified.

3. Alternative options considered and not recommended

- 3.1 The instructions from the SoS are directives under the Housing Act, and therefore it is a requirement for the council to respond appropriately.
- 3.2 The action plan includes some steps that have been taken and completed, some that are in progress, and some future recommendations that are not implemented yet.

4. Post decision implementation

- 4.1 The council will respond to the Secretary of State with the requested data and action plan.

- 4.2 The council will coordinate delivery of the agreed action plan set out in Appendix B.
- 4.3 Barnet Homes will continue to progress the programme of works set out in in this report.
- 4.4 The council's private sector housing team will continue to identify and classify damp and mould hazards in rented properties and arrange enforcement action where this is required to ensure compliance and remediation by landlords.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet's Housing Strategy is currently being refreshed, and the emerging themes presented to the Housing and Growth Committee in October 2022 included a focus on ensuring safe, sustainable council housing, and on raising quality and standards in the private rented sector, which will include raising awareness of and, where the council has the authority to do so, tackling damp and mould issues.
- 5.1.2 The Barnet Homes Annual Delivery Plan 2022/23 sets out the framework for the delivery of Housing Management, Homelessness and Development services to be provided by Barnet Homes. It relates to the seventh year of the ten-year Management Agreement with Barnet Homes and commenced on the 1 April 2022.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Barnet Homes are recruiting additional and immediate resources to manage the current caseload of damp and mould. This will consist of 2 technical staff, 1 resident liaison officer and administrative resource, who will make up a 'Healthy Homes Team'. This is at a cost of £200,000 per annum. The cost for 22/23 is approximately £35,000 and will be funded by the Housing Revenue Account revenue repairs budget. The ongoing cost will be considered as part of the HRA business plan review in Quarter 4 and reported to Housing and Growth Committee in March.
- 5.2.2 Around £2m is required to address the known issues of HHSRS category 2 damp and mould across the stock. This will be reviewed as part of the HRA business plan review in Quarter 4 and reported to Housing and Growth Committee in March.
- 5.2.3 As set out in paragraphs 1.37 and 1.38, a Housing Enforcement Officer is to be recruited to the Private Sector Housing Team. This should enable tenants applying for rehousing to be prioritised for an inspection and the tenancy maintained where possible. A system will also be put in place to audit Temporary Accommodation to try and ensure that appropriate minimum standards are provided. This will be a pilot post and as such working process/requirements will be flexed as necessary. The position will be funded from the Housing General Fund.

5.3 Legal and Constitutional References

5.3.1 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing & Growth Committee:

(1) Responsibility for:

- Housing (including housing strategy; homelessness; social housing and housing grants; private sector housing and leasing; housing licensing and enforcement; HRA Revenue Account and Capital Programme)
- Regeneration Strategy and Overseeing Major Regeneration Schemes
- Asset Management
- Development of Council Land
- Fire Safety
- Economic Development including Employment Strategy; Business Support and Engagement; and Town Centres

(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.

(4) To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.

5.3.2 The Housing Act 2004 (sections 3 and 4) require local authorities to keep the housing conditions in their area under review and to inspect the same with a view to identifying any action that may need to be taken under the Housing Act 2004 and other legislation, and if it considers a Category 1 or 2 hazard (as defined by the Act) exists. The Act gives (a) powers to intervene where they consider housing conditions to be in breach of the same and (b) under section 5, imposes a duty to take action where the authority considers that a Category 1 hazard exists on premises.

6. Insight

6.1 The data relating to the past three 12-month periods, as requested by the SoS, has been identified as follows:

	Data / Information requested	Data Identified
BH	The approach to assessing the extent of damp and mould issues, including how the prevalence of category 1 and 2 damp and mould hazards is assessed.	<i>See section 1</i>
	The most recent assessment of the extent of damp and mould hazards in your homes, including the prevalence of category 1 and 2 damp and mould hazards	<i>22 severe 729 moderate 827 slight</i>

	The action being taken to remedy issues and hazards, and ensure homes meet the Decent Homes Standard.	See section 1
	How we ensure that individual damp and mould cases are identified and dealt with promptly and effectively when raised by tenants and residents	See Appendix A
PRS	How many damp and mould hazards have you remediated, compared to your assessment of their prevalence?	<i>Preliminary data is set out in paragraph 1.30 and 1.31.</i> <i>~118 current service requests relating to damp (inc. leaks) and mould.</i> <i>Since April 2019, ~71 dwellings with cat. 1 hazards related to Damp and Mould.</i>
	How many times you have taken enforcement action to remedy damp and mould hazards and the form this has taken?	
	How many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould	
	How many prosecutions have been successfully pursued in relation to damp and mould hazards?	

7. Social Value

- 7.1 Closer monitoring of damp and mould complaints should lead to a reduction in the incidence of properties that constitute a hazard to health, and improve the social and wellbeing outcomes for residents that are currently living in unsafe properties.

8. Risk Management

- 8.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. There is a risk that limited engagement with the housing sector could lead to their lack of compliance with government legislation/regulations resulting in potentially unsafe housing and harm to residents. There are controls/mitigations in place to manage the risk.

9. Equalities and Diversity

- 9.1 The Equality Act, 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
 - Advance equality of opportunity between people of different groups.
 - Foster good relations between people from different groups.

- 9.2 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 9.3 There is high representation of some protected characteristics within the profile of Barnet Council tenants, and this is reasonably expected to be repeated within the demographic profiles of tenants living within social housing across the borough. Within homes rented from the council, those most likely to be disproportionately affected by damp and mould due to their high prevalence within the population compared to that of the borough (2021 Census results) include women, people from an ethnic minority background (particularly those from a Black or Black British background), and individuals aged over 45. It might reasonably be expected that those with a disability and those affected by socio-economic factors may also be disproportionately impacted, as these groups are more likely to be in need of social housing. In delivering the activities outlined within this paper to reduce the impact of and manage damp and mould within its properties, the council is observing its Public Sector Equality Duty.

10. Corporate Parenting

- 10.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no adverse implications for Corporate Parenting in relation to this report.

11. Consultation and Engagement

- 11.1 As noted in paragraph 1.18, a survey of registered social landlords operating in the borough was undertaken and this has secured a 56% response rate as of 6th January.
- 11.2 There is ongoing engagement with the wider housing sector and landlords to monitor issues of damp and mould.

12. Environmental Impact

- 12.1 There are no direct environmental implications in relation to this report, however some of the works to properties may also support the journey to Net Zero.

13. Background papers

- 13.1 None.

APPENDIX A:

Council housing damp and mould management process

1. In instances where a tenant makes Barnet Homes aware of damp and mould within a property, then Barnet Homes' procedure, as amended following the Housing Ombudsman's recommendations from the 2021 spotlight review, are as follows:
 - A. On receipt of a report from a resident regarding damp or mould in a property, Barnet Homes books an appointment with a Repairs Surveyor.
 - B. At the initial visit Barnet Homes looks to understand whether this is penetrating damp, rising damp, or damp caused by excess moisture and/or cold bridging.
 - C. If the dampness relates to penetrative damp, orders are raised for plumbers or roofers to attend to rectify the cause of the leak.
 - D. If the issue is identified as rising damp, Barnet Homes instructs a specialist contractor to attend and complete a damp survey with associated recommendations and a specification to rectify.
 - E. If the diagnosis is of damp being caused by excess moisture and/or cold bridging, Barnet Homes firstly talks to residents to ensure they understand how living in a property can cause excessive moisture to be created and gives them advice about steps they may be able to take to reduce excessive moisture. It also discusses ventilation and heating of the properties.
 - F. If, on inspection, mould growth is present, Barnet Homes raises orders to in-house decorators to attend and carry out antifungal mould washes to the affected areas. At the point of inspection, Barnet Homes takes moisture readings from the walls to record in its repairs management system and books a follow-up appointment for 3 months' time to ensure action taken is tracked, and to monitor the success of the advice provided and treatments undertaken.
 - G. At the 3-month visit, further readings are taken to compare against the previous readings to ensure the property condition is improving. If there is no further improvement, Barnet Homes then considers further intrusive solutions which range from the installation of positive airflow ventilations systems and the internal insulation of affected walls known as thermo-boarding.
 - H. If the mould growth is severe, Barnet Homes would look to decant the residents either by moving them into temporary accommodation or a hotel for a short duration whilst works are undertaken. Residents' medical conditions are taken into consideration when assessments are undertaken for decants.

Appendix B: Mould and Damp Action Plan (November 2022)

1.1 The table below captures only actions in relation to damp and mould

Action	Status	Notes
Council housing stock		
Barnet Homes to deliver training on damp and mould to all operational frontline teams that visit residents in properties, including all repairs operatives, gas engineers, housing officers, and resident liaison staff. This will be done to ensure they understand the impact damp and mould can have on residents' health and ensure we are providing compassionate advice as well as promptly and routinely reporting cases to the relevant teams where there is a need to do so.	In progress	
Barnet Homes to incorporate an assessment of any current respiratory illness present in any household member that may be taken into consideration when assessments are undertaken for decants.	In progress	
Barnet Homes to re-survey and put together a schedule of works for all properties that displayed 'moderate' damp and mould (assuming money can be allocated from the HRA to do this work)	In progress	
Barnet Homes to work with LBB provide additional advice to residents about how to avoid damp and mould and how to deal with 'slight' cases of damp and mould	In progress	
Barnet Homes to devise a set of measures to record cases of damp and mould and KPI's to demonstrate performance with dealing with those cases	Quarter 4 2022/23	
Registered Providers		
As part of the Annual Review of Registered Providers, the council will review and assess Registered Providers to ensure that they are appropriately capturing the rectification of issues relating to housing conditions.	Q2 2023/24	
Private Sector Residential		

Action	Status	Notes
Review data recording on data management system to specifically flag service requests linked to Damp and Mould.	In progress	
Liaise with the Barnet Group to investigate opportunities for closer working in relation to housing disrepair, including Damp and Mould cases.	New	
Review documents, web pages and advice relating to condensation to ensure that it is appropriately worded	In progress	
To ensure a comprehensive approach to conditions in the private rented sector and try and reduce the number of homelessness applications due to poor housing conditions including those relating to Damp and Mould, a Housing Enforcement Officer is to be recruited to the Private Sector Housing Team. This should enable tenants applying for rehousing to be prioritised for an inspection and the tenancy maintained where possible. A system will also be put in place to audit Temporary Accommodation to try and ensure that appropriate minimum standards are provided. This will be a pilot post.	New	



Housing and Growth Committee AGENDA ITEM 9

17 January 2022

Title	Housing and Growth Priorities Update
Report of	Councillor Ross Houston, Chair of Housing and Growth Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Rough Sleepers Briefing Note
Officer Contact Details	Matin Miah, Interim Assistant Director, Development and Economy matin.miah@barnet.gov.uk

Summary

This report provides an update on delivery of the priorities of Housing and Growth Committee. This includes:

- Quality Homes
- Town Centres and the Local Economy

Officers Recommendations

That the Committee notes the report.

1. Why this report is needed

- 1.1 The council has a number of priorities that Housing and Growth Committee is responsible for, either in whole or in part. The council has a number of priorities that

Housing and Growth Committee is responsible for, either in whole or in part. Some of the topics covered are also within the remit of other committees but some of the objectives can be furthered via property owned by the Council and property policies within the remit of this Committee.

- Quality Homes: Ensuring housing in the borough meets the needs of residents, is sustainable and that new developments are brought forward in partnership with residents. This includes:
 - Delivering more genuinely affordable homes, while respecting the outer-London suburban character of the borough;
 - Working to ensure that new development is net zero carbon by 2030, minimising carbon emissions during construction and offsetting remaining emissions as appropriate;
 - Delivering healthy homes by working to eliminate fuel poverty and improve energy efficiency and water efficiency;
 - Supporting private tenants through licensing and a private tenants' rights character;
 - Ensuring regeneration benefits existing residents first and foremost.
- Town Centres and Local Economy: supporting Barnet's town centres and the local economy. This includes:
 - Ensuring town centre regeneration is supported by residents and businesses;
 - Promoting a shop local/buy local culture;
 - Working with local businesses and education providers to develop the skills needed in the green economy and to build a local network of suppliers;
 - Encouraging creative and digital industries;
 - Helping people get back into work;
 - Promoting digital connectivity and inclusion.
- A better Barnet: Support communities to be even happier, healthier and to make sure everyone is able to get the most out of life.
- Climate Change and Biodiversity: Future proofing our borough, putting sustainability at the heart of everything the council does. This includes:
 - Achieving net zero carbon in Barnet by 2042, and for the council by 2030 at the latest;
 - Ensuring that the council's long-term transport strategy improves road safety and encourages walking and cycling.

- 1.2 This report provides an update on delivery of key workstreams that are a priority for the Committee.
- 1.3 A new Corporate Plan is in development focusing on the priorities of People, Places and Planet. Future updates to Committee will reflect emerging themes and priorities of the Corporate Plan.

Climate Change and Biodiversity

- 1.4 A broader update on progress with Barnet's Sustainability Strategy, including formation of a Citizens Assembly on Climate Change and Biodiversity, was presented to Environment and Climate Change Committee on 21 November 2022. The report can be accessed at [Committee Report \(modern.gov.co.uk\)](https://modern.gov.co.uk).
- 1.5 Barnet Council successfully attracted funding from the Local Authority Treescapes Fund (LATF) and the Woodland Creation Accelerator Fund (WCAF) to support increased tree planting in the borough. So far, 75 out of 85 trees have been planted in Watling Estate, with completion planned for early in the New Year. This will provide benefits such as improved air quality, ecological diversity, habitat creation and improvements to the character of the borough, benefitting communities and increasing local pride. WCAF funds will enable the council's Tree Team to expand their activities.

Housing and buildings

- 1.6 Barnet's carbon baseline identifies the majority of emissions come from stationary energy sources, largely buildings, with almost two-thirds of these relating to residential buildings.
- 1.7 Dealing with this challenge requires retrofitting existing buildings to improve their efficiency, remove/ reduce fossil fuel usage and meet future standards. The council has been delivering an initial retrofit programme to its social housing, supported by Government grants. Following the completion of the Local Authority Delivery (LAD) Phase 2 Scheme in September 2022, a £9m bid has also been submitted by officers in November under Round Two of the Social Housing Decarbonisation Fund which, if successful, will deliver 'fabric first' insulation measures to up to 238 social homes.
- 1.8 The council has a further role to help address and target incidences of fuel poverty, with almost one in ten households in Barnet, living in fuel poverty, largely in the private sector. This is being exacerbated by the cost-of-living crisis. Targeted work is therefore ongoing to engage with the sector to support residents living in fuel poverty as part of the programme, including by supporting residents to secure grants to retrofit private homes. To improve this process, officers are preparing for the launch of the BarNET-ZERO campaign in January 2023, which will provide clear guidance and recommendations to how residents can receive support and make their homes energy efficient.
- 1.9 Organisationally, the largest source of emissions comes from council owned buildings through its use of utilities such as heating, electricity, water and fugitive emissions. Much has been done already to ensure that our corporate assets are more energy efficient, particularly through the RE:FIT Programme and Public Sector Decarbonisation Scheme.

- 1.10 Further retrofitting activities across corporate buildings are also being progressed. The council secured funding from Phase 3 of the Public Sector Decarbonisation Scheme (PSDS) and works commenced in August 2022 to install options such as air source heat pumps, photovoltaic panels and LED lights at 18 schools and Family Services buildings across the borough. A funding application has also been submitted for the next phase of the scheme, with the outcome expected February 2023.
- 1.11 In addition, officers have defined a 'fabric first' project to retrofit all corporate buildings to achieve net zero by 2030. A £10m initial phase has been authorised and scoped for 11 sites to produce costed options, with the completion of SBEM surveys. Funding has also been secured from the Prevention Fund to support a 'deep' retrofit of a school caretakers home to at least EPC-B, with works due for completion Spring 2023.
- 1.12 Work is continuing with development partners to ensure they are working towards the highest building standards, to ensure both new build housing and supporting infrastructure meet the council's net zero targets. All on-site Barnet Homes developments have transitioned to delivering sustainable heating systems, including air source and communal heat pumps. All schemes in design stages target Passivhaus principles for sustainable development.

Renewable Energy

- 1.13 There is an immediate requirement for the council to use and generate sustainable energy, mitigate climate change and to help deliver the nascent Sustainability Strategy as one of the most effective means to deliver carbon savings.
- 1.14 The council's energy is currently sourced through a framework contract, which supplies the Barnet corporate estate, as well as several other public sector buildings within Barnet, such as schools, libraries and community centres, with a 'grid mix' of electricity and gas – meaning the fuel sources are currently not 100% Renewable Energy Guarantees of Origin (REGO) renewable. Officers are reviewing options around switching towards a Green Energy supplier to further reduce the council's carbon footprint, whilst delivering a return on investment.
- 1.15 Alongside this, officers are also looking into opportunities to enter into a Private Power Agreement (PPA), both as a partner initiative with other London boroughs, and directly through a smaller-scale agreement. If successfully procured, the PPA will not only provide accredited renewable power for council assets but also ensure that additional renewable energy capacity is added to the grid.
- 1.16 The council is working sub-regionally with the West London Alliance (WLA) to develop a Local Area Energy Plan, due to come forward over the coming months, which will baseline current energy demand and usage, and help the council plan for future scenarios based upon planned growth. As part of this project, officers are working to co-ordinate current and future constraints on the heat network, whilst also exploring options to take forward future outputs to inform a detailed boroughwide energy masterplan with commercial partners following the agreement to install a new district heating network at Brent Cross.

Delivering Quality Homes

- 1.17 The council is developing a programme to deliver 1,000 affordable homes at 50% market rent or less. Viability remains a challenge given restrictions on available grants and rising costs, however a number of delivery models are being explored. An update paper on the 1000 homes priority is also on the agenda for Housing and Growth Committee on 17th January.

Regeneration Programme

- 1.18 Delivery of the Brent Cross Town programme is fundamental to achieving Barnet's Growth Strategy. An update report on the programme is also on the agenda for Housing and Growth Committee on 17th January.
- 1.19 Key updates on other regeneration schemes include:
- *Grahame Park:* Wates is continuing to progress the construction of Plot A (comprising 209 homes, including 60 social rent/London Affordable Rent and 149 shared ownership). Completion remains on target for early 2024. Planning for decanting of the Concourse blocks is underway with vacant possession forecast in 2024. The Reserved Matters Application for Plots K and H was approved by Strategic Planning Committee on 15th December (<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=703&MId=11139&Ver=4>). A Small Projects Improvement Plan is in development addressing, among other issues, vacant shops on the Concourse, improvements to public realm, improved signage and festive lighting.
 - *West Hendon:* Officers continue to work with Metropolitan Thames Valley Housing to review planned delivery arrangements for West Hendon Community Hub – specifically development costs and the project overheads with a view to agreeing a plan in January 2023. Barratts will make the planning submission for the Additional Unit Scheme in January 2023. Negotiations between the developer and the works contractor around the public realm and highway works are close to resolution and a start has been made on some enabling works. A start on the key elements of the work is anticipated mid-2023. Officers are working with Barratts and local businesses to expedite a programme of improvements in advance of these major works. A leaflet and drop-in sessions are also planned for the New Year.
 - *Dollis Valley:* Phase 3 of Dollis Valley has completed with the exception of four social housing homes for existing residents living at Dollis Valley. These are due to complete in January 2023. Discussions on progressing Phase 4 are due to begin in the coming months following the recent acquisition in November 2022 of Countryside Partnerships (Countryside) by Vistry Group (Vistry). Phase 4 will deliver 100 new homes of which 60 will be for private sale, 34 for social rent and six for intermediate.
 - *Granville Road:* Works over the last few months have focussed on the infrastructure works to provide all the necessary services to the new homes and

link these into the existing services. In the coming months, parts of the development will begin to be completed with the landscaping and public realm and then a phased completion of the homes. Marketing has already begun for the shared ownership and proactive marketing for the other properties will begin in Spring 2023. Regular meetings will continue with GERA (Granville Road Estate Residents Association) with the opportunity for site walkabouts to engage with residents on progress. The scheme is expected to complete in Summer 2024.

Barnet Homes development programme

- 1.20 The development programmes delivered through Barnet Homes continue to progress with full business cases approved at November Housing and Growth Committee for schemes at Broadfields, Coppetts Road and The Grange. Works will commence on site by March 2023 in order to secure a GLA grant of £6.5m. The schemes will deliver 65 new council homes at London Affordable Rent. A further scheme at Little Strand started on site with gas infrastructure works ahead of the demolition of existing bungalows and pram sheds in January 2023. Schemes at Fosters Estate and Stag House continue to progress on site with 268 new homes being delivered, including 126 extra care homes. All these schemes are supported by GLA grant funding.
- 1.21 Barnet Homes, working as the development agent on behalf of Barnet Council, achieved approval of the outline business case of the north-eastern part of Grahame Park Estate at November Housing and Growth Committee. Current forecasts are that the first phase of the scheme will produce circa 505 new homes (subject to planning), of which 50% will be affordable. Barnet Homes will now be further developing the design with a view to making a planning application in 2024. Alongside this the delivery structure, decant strategy and financial appraisal will be developed.

Opendoor Homes development programme

- 1.22 The Opendoor Homes programme of 341 homes for affordable rent continues to progress with 281 units now completed. The remainder are expected to be completed by late Spring 2023. The mixed tenure scheme at Hermitage Lane completed in November 2022, delivering 40% affordable homes including 15 at London Affordable Rent and six shared ownership. The next proposed scheme is at Whitings and Moxon Street with public consultation taking place during December 2022. It is anticipated that the Outline Business Case will be brought to Housing and Growth Committee in March 2023, delivering around 60 new homes.

Acquisitions programme

- 1.23 Alongside development, Barnet Homes undertakes a significant acquisitions programme to meet housing need within the borough. In November 2021 the council/Barnet Homes secured an additional £3.9m of GLA grant to buy back council homes sold under Right to Buy legislation. This funding is being used to purchase 60 homes by March 2023 with the purchase of a further 60 homes funded by Right to Buy receipts. By the end of November 2022, 31 properties had been acquired under the GLA grant part of the programme.
- 1.24 The Opendoor Homes programme has seen 196 homes purchased to date (out of a target of 500). The programme completed its 200-home review at this committee in

October 2022 and officers are seeking to ensure the continuation of the programme in a difficult economic environment in respect of interest rates in particular.

Rough Sleepers

- 1.25 Following a request from Housing and Growth Committee at the October meeting. Appendix A provides a detailed update on how rough sleepers are supported in Barnet, as well as key issues and challenges in supporting rough sleepers.
- 1.26 This year, Barnet's spotlight street count took place from midnight on Thursday 17th November into the morning of Friday 18th November. The Rough Sleeper Team covered most of the borough on this night. Barnet reported a figure of eight rough sleepers in 2022 – and this figure has been verified by Homeless Link. This single night estimate only reflects individuals where Barnet Homes had robust evidence of rough sleeping in the borough on the chosen single night. The 'real' number of rough sleepers is likely to be higher than the estimate, but the same methodology is used each year and the annual snapshot is a good indicator of trends in rough sleeping. The 2022 figure compares favourably with previous years. 13 people were reported rough sleeping in 2021, and 24 people were reported rough sleeping in 2018 and 2019.
- 1.27 Funding under the Governments Rough Sleeping Initiative has been confirmed for the next three years at £3,068,144 and this will continue to fund the Rough Sleeper Team and Somewhere Safe to Stay Hub. Additionally, in July 2021, Barnet Homes were awarded £5.4 million to deliver 55 homes under the Mayor's Rough Sleeping Accommodation Programme (RSAP). RSAP properties are let on an assured shorthold tenancy basis for 2 years. Floating support will be in place for the duration of the tenancy and Housing Needs Officers manage the move on process as the end of tenancies near.

Tenants in Private Rented Accommodation

- 1.28 Barnet is continuing to see high levels of demand from private sector tenants. In Q3 2022/23 (year to date), 18.4% of applicants for housing assistance have approached as a result of a Section 21 notice¹. In Q2 2022/23, private rented sector landlords in Barnet issued 105 claims for court possession and 138 claims have been issued in Q3 2022/23 (year to date). These court claims are now translating to increased repossessions, with 52 repossessions in Q2 2022/23 and 29 repossessions in Q3 2022/23 (year to date).² April 2022 to November 2022 has seen a total of 2,098 applicants' approach for housing assistance – a 17% increase on the same period in the previous year. 58% of applications from April to November 2022 have been from single applicants.
- 1.29 Barnet Homes has developed contingency plans to increase homelessness prevention activities as required and a contingency budget is held by the council for

¹ Section 21 enables private landlords to repossess their properties from assured shorthold tenants without having to establish fault on the part of the tenant. It is sometimes referred to as the 'no-fault' grounds for eviction. A section 21 eviction notice starts the legal process to end an assured shorthold tenancy. A section 21 eviction notice period must be at least 2 months and a landlord can only apply to court after the notice period set in the section 21 notice ends. Tenants are entitled to stay past the notice period given in the section 21 notice. If tenants stay in the property past the notice period, they will then be evicted through court action.

² [Mortgage and Landlord Possession Statistics: data visualisation tool \(mojanalytics.xyz\)](https://mojanalytics.xyz/mortgage-and-landlord-possession-statistics)

this purpose. The current cost of living crisis could see demand increase and the recent spotlight on mould and damp could also add to this. Given the significant challenges with supply the focus will remain on prevention, particularly supporting customers to remain in their current accommodation wherever possible. Barnet Homes are exploring opportunities for effective partnership with the Private Sector Team in Barnet Council to support landlords to address issues in their properties with tenants remaining in their properties, where appropriate.

- 1.30 While Barnet Homes provides a tenancy sustainment service, BOOST delivers employment, skills, finance and benefit support services to help those households facing difficulties. BOOST provides free and accessible support for any resident of Barnet.

Barnet Households in Temporary Accommodation

- 1.31 2,104 households reside in temporary accommodation (TA), against a target of 2,350. November's figure is a slight increase on the 2,076 households in TA in September – which represented the lowest number in TA for more than 10 years. Procurement of TA has continued to be challenging due to limited supply of private rented properties, so the use of hotels continues. In Q2 2022/23, there was a 60% drop in TA procurement compared to the same period last year (30 units vs. 12 units). Across the North London sub-region, it is rarely possible to procure TA within the agreed-upon PAN-London rates. As such, Barnet Homes (and our North London peers) often need to pay above these rates to procure TA units.³

Refugees

- 1.32 Barnet Homes has had significant challenges in procuring properties for the Afghan households that the council has pledged to accommodate. Two families were provided with three months of assistance, and this support has since ended and two of the families will continue to receive assistance and support for three more years. Barnet Council has pledged to accept more Afghan families into the project; however, many Afghan families have large household compositions, and it is difficult to procure large properties within Barnet for these families.
- 1.33 It is estimated that there are 683 sponsors in Barnet for the Homes for Ukraine scheme, and 886 guests have arrived. The Homes for Ukraine Team are now contacting every sponsor and guest to ensure that the data provided by Department of Levelling Up, Housing and Communities and the Home Office is accurate. Barnet Homes has taken 71 homeless applications from Ukrainian refugees, with 15 households currently in TA and 24 households housed in settled accommodation.

Homelessness Prevention Grant consultation

- 1.34 The Department for Levelling Up Housing & Communities (DLUHC) has consulted on a new allocation methodology for Homelessness Prevention Grant (HPG). The new methodology would apply to grant funding for 2023/24. In December it was confirmed that Barnet would receive a 1.1% (£60k) increase in funding for 2023/24.

Town Centres and Local Economy

³ [Temporary accommodation at crisis point \(smith-institute.org.uk\)](https://www.smith-institute.org.uk)

Helping residents – especially young people – into work

- 1.35 Latest NOMIS statistics show that there were 195,700 Barnet residents in employment (71.3%); slightly lower than the UK average of 75.5%. 37,700 (12.5%) Barnet residents are self-employed, more than the UK average of 9.2%. 11,240 (4.4%) of residents are claiming Jobseekers Allowance (JSA), compared to the London average of 4.7%.
- 1.36 Between April and November 2022 BOOST and BELS supported 335 residents into employment, whilst Shaw Trust programmes moved another 426 into work. The total of Barnet residents reported as starting work including progressions into employment with local developers is 849.
- 1.37 Updates on Employment and Skills Activity this period -
- Street Scene Recruitment - Following the second BOOST session in November, 5 residents were offered the opportunity for work trials, and we await an update on outcomes and potential for conversion to jobs.
 - Construction and S106 - A large number of job opportunities in construction have been generated by our developments in this period. These have included jobs and apprenticeships as Groundworkers, Shuttering Carpenters, Steel Fixers, Traffic Marshalls, and Crane Supervisors and include the first opportunities from Midgard at Brent Cross. Two Formwork apprenticeships have been offered to BOOST clients and they are being supported to obtain their CSCS cards prior to starting on site. Unfortunately, despite connecting employers with our brokerage network, very few CVs have been put forward for the other opportunities and plans to address this will be launched in the new year.
 - Film and TV Sector – We have partnered with Middlesex University to bid for research funding for Local Policy Innovation Partnership (LPIP) funding to the UKRI (United Kingdom Research Innovation). Our project focuses on the Film, Television and Multimedia sector in North London and if successful, will connect local policy, business, and partners to provide research, evidence, data, and expertise to take advantage of opportunities.
 - BOOST are preparing a 3-year plan which will go to Policy & Resources Committee for approval in February 2023.
 - BELS continue to work with asylum seekers in three hotels in Barnet and commissioned ESOL from Barnet and Southgate College, through the summer. However, there is no funded programme available for over 19s now until next year so BELS have met with groups of asylum seekers and are seeking funding for the programme with the college through AEB.
 - BELS hosted a careers fair at Middlesex University in October which was attended by 40 providers including Barnet and Southgate College. Close to 1000

young people aged 14-18 years attended from more than 18 local schools including special schools.

Digital Inclusion and Connectivity

- 1.38 The council has continued to secure and deliver digital broadband infrastructure investment during 2022, with the following outcomes over the half of the year
- The gigabit broadband programme continued with Community Fibre confirming live fibre connections to over 55% of the Barnet Homes stock.
 - Deployments are continuing from 'Open Infra' and 'Hampstead Fibre' to deliver across their target areas, and plans are emerging for further investment across the borough.
 - A total of 9 Community Centres have now been provided with new Fibre broadband connections for free by Community Fibre.
- 1.39 The WLA 'Digital Investment and Inclusion' programme continued with several key projects and programmes getting underway in 2022-23:
- *Fibre West*: Our delivery partner, BT Plc. Have finished their survey of all the borough's CCTV sites and have now commenced the installation phase of delivering the project. They are also surveying our other council owned sites such as libraries and Children Services centre, and reviewing the viability of bringing these locations forward by a year from 2024 into 2023.
 - *Cellular Connectivity (4G/5G)*: A platform provider has been appointed and the council has been working with the other WLA London Boroughs as part of a working group to agree processes for engaging and transacting with mobile operators via the asset management platform. This grant funded pilot will end in March 2023.
- 1.40 Work has continued to ensure delivery of agreed Social Value commitments to support wider digital inclusion outcomes, including:
- *Barnet Digital Skills Triage Pilot*: designed to support front line staff to determine digital need and to triage using a digital exclusion basis. The 8-week pilot ran from 14th September – 9th November 2022. 70 residents were interviewed and agreed to be contacted by an external evaluator, with the external evaluator currently completing resident 'call back' interviews to understand local digital inclusion needs.
 - *Community Fibre*: 12 months free of charge fibre broadband is available to eligible residents. A mailshot of 250 residents generated seven responses, with a mailshot to 5000 residents scheduled for January 2023.
 - *Digital Skills Workshops*: West Hendon Hub will start delivering digital skills workshops in January 2023. Chipping Barnet Foodbank started delivering digital skills sessions in November 2022, which have had a really positive impact on the local community. Over 400 residents have received digital skills support from BOOST between March 2022 – December 2022.

- *Community Centres:* Hope Corner, in Underhill, received a free fibre broadband connection in November, which will make a huge difference to digital exclusion in the local community. Hope Corner are working with the Barnet Get Online Network to embed digital skills training into the centre.
- *Barnet Council refurbished laptop scheme:* Hope Corner and Chipping Barnet Foodbank also benefit from a supply of Barnet Council refurbished laptops to help staff to support residents as well as to loan laptops to residents who may not have the equipment to search for employment, benefits, healthcare and training. Age UK benefited from 120 laptops to support the 'Get Active, Get Connected' over 55s project.
- *BOOST* is a new 'Good Things Foundation Online Centre' and will commence distributing SIM cards to local residents in 2023.
- *The Barnet Get Online Network:* Provides a central forum for Barnet digital inclusion discussion. Set up in September 2021, currently has 97 members made up from Housing, NHS, Youth, Libraries, Education, Citizens Advice, Foodbanks and more.

Business Support

1.41 This year, the council launched a business support programme of approximately £1.5M to help almost 1000 high street and micro-businesses across the borough. Funded mostly through the government's Additional Restrictions Grants, these schemes are aimed at companies that have been negatively affected by Covid-19 and will provide business owners and their employees with vital new skills, knowledge and confidence to help them bounce back. They include:

- *Employee Skills programme with Barnet & Southgate College:* Short courses to improve business compliance and standards such as health and safety, food and hygiene, first aid and English language in the workplace. 65 out of target of 75 businesses supported. Finishes in January 2023.
- *Micro-Business Growth programme with Middlesex University:* Business needs research (500 companies surveyed), business masterclasses to help owners scale their company and plan for future growth, such as business growth planning, sales, finance and digital marketing, and graduate placements. 72 out of target 100 businesses undertook training and 15 graduate placements with businesses started, with 30 more planned for January to February 2023. Finishes in March 2023
- *Construction Supply Chain project with MTW Consultants:* This project provides training and expert guidance on winning bids for Barnet's local suppliers, with opportunities to meet buyers and developers. Its goal is to retain more investment inside the borough. To date, 50 out of target 50 businesses engaged. Finishes in March 2024.
- *Town Centre Business Support Programme:* Focused specifically on Burnt Oak, West Hendon, Finchley Central and North Finchley town centres, the project includes health checks, one-to-one advice, business skills workshops, town centre websites and business directories and briefings with key business-facing services

such as Business Rates and Licencing. In total, 483 businesses have been engaged out of target of approximately 700. Finishes in June 2023.

- 1.42 In total, since March 2022, almost 800 businesses have so far been supported by Barnet's business support programme.
- 1.43 Additionally, the council has started a new internal programme to link different business-facing teams. The aim is to streamline services so that local companies can interact with the council through a simplified entry point. Business-facing teams will benefit from sharing data to generate a single view of Barnet's businesses and their needs.

Town Centres

- 1.44 Officers from a range of services are working together to support Barnet's town centres and high streets, helping them to recover from the effects of the pandemic. The council is undertaking a review of the approach to town centres and developing a new strategy in line with the Administration's priorities. This has sustainability at its heart, alongside working in partnership with town teams and engaging local businesses, residents and community groups.

- 1.45 Key updates include:

- *Edgware*: The Partnership Board formed with Ballymore, Transport for London, Middlesex University and local businesses has continued to develop plans for the town centre, including high street activations, new murals and artwork and other creative approaches to place-making. Officers have progressed interventions to support a cleaner, and safer, town centre, including new lighting installations in trees, installed in October 2022 and are exploring commissioning a specialist consultant to work with the community to deliver a series of art installations and events to celebrate the centenary of the town centre in 2023. Officers are working procure a multi-disciplinary design team to prepare designs for public realm improvements to Station Road, prioritising active travel, sustainability and community activation. Feasibility testing is also underway for a Business Improvement District (see separate agenda item). The council has commenced enforcement action in relation to the Railway Hotel, a Grade II Listed Building.
- *Burnt Oak*: Community engagement on the public realm improvements (approved at Housing and Growth Committee, September 2021) has commenced. The consultant team has completed Stage 1 analysis and is working with the local community, initially through the existing Community Steering Group which has recently been formalised into the Partnership Board. In addition, the creative place-making scheme has started to deliver initiatives, including a new mural on the railway bridge on Watling Avenue and new lighting throughout the town centre. Officers are working to ensure that all relevant activities are coordinated and integrated across Burnt Oak, including the public realm works, development of Watling Car Park, improvements to community facilities and interventions in nearby parks.
- *Cricklewood*: The feasibility study for the site at 164-168 Cricklewood Broadway has completed initial analysis, suggesting that the site is well-suited to new

landscaping, planting, seating and small-scale commercial activity (see separate agenda item).

- *Golders Green*: The council has appointed a multi-disciplinary design team to engage the community and develop designs for public realm improvements in line with the adopted Golders Green Town Centre Strategy. Community engagement sessions are underway to inform the proposals. A new Town Team is being convened to ensure that businesses and residents are meaningfully engaged and to help animate future public realm improvements.
- *Finchley Central*: The council has continued to progress the Finchley Square project, incorporating 5,500 sqm of new public realm, accessibility, cycle, pedestrian and traffic improvements, new tree planting and Sustainable Urban Drainage Systems and a new community/civic space. Unfortunately, the initial approach to procurement was set back in November, when no valid tenders were received to carry out the works. Officers have redesigned the approach and will be going back out to tender in January. This does, however, mean that there will be a delay to the start on site date. Meanwhile, arts, community and cultural events have continued to be organised and held by the Finchley Central Town Team, including a recent arts market. The council will be delivering a public art project alongside the public realm construction at the start of 2023.
- *North Finchley*: The council is continuing to develop Cultural Placemaking Interventions for the town centre and will be piloting improvements to 1,200sqm of public realm to unlock future improvements identified in the SPD. This was prioritised by the community following a series of engagement activities with businesses and community groups. The Public Realm Design Framework is progressing with further engagement and community workshops held in November to define the vision and design principles to underpin the framework. The North Finchley Partnership Board has continued to meet, bringing together members from the community, businesses and other local stakeholders, alongside the council and developer partners. Conversations are ongoing with Regal London regarding the development of a Planning Application for council-owned sites.
- *Chipping Barnet*: Officers have been focused on supporting the Chipping Barnet Town Team to deliver a Meanwhile Activation Project, identified in the Community Plan. The Town Team has led development of this project, which uses a previously vacant high street unit that now comprises a flexible workspace, micro-brewery and pop-up retail.

2. Reasons for recommendations

- 2.1 All measures and interventions set out above directly support council priorities.
- 2.2 Additionally, all measures outlined in this report align with council strategy, for example, as set out in the Growth Strategy 2020-30, the Long-Term Transport Strategy, the Housing Strategy 2019-24 and the Homelessness and Rough Sleeping Strategy 2019-24.

3. Alternative options considered and not recommended

3.1 None in the context of this report

4. Post decision implementation

4.1 Following Committee, officers will continue to maintain regular communication with relevant stakeholder groups, notable businesses, Members and residents – in accordance with the various programmes of work. Updates will also be given to other related theme committees as and when required.

5. Implications of decision

Corporate Priorities and Performance

- 5.1 All measures and interventions set out above directly support the priorities of the council and the new administration.
- 5.2 Additionally, all measures outlined in this report align with council strategy and priorities, for example, as set out in the Growth Strategy 2020-30 the Long-Term Transport Strategy, the Housing Strategy 2019-24 and the Homelessness and Rough Sleep Strategy 2019-24.

Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.3 Where there are financial implications or decisions associated with projects outlined in the Growth Strategy annual report and Work, Skills and Productivity Action Plan, these will be addressed on a case-by-case basis.
- 5.4 Any procurement activity will be undertaken in accordance with the council's Contract Procedure Rules, Public Contracts Regulations 2015 and other applicable laws.
- 5.5 Post Brexit, the State Aid rules have been replaced by the Subsidy Control Act 2022, which received Royal Assent on 28 April 2022 and which came into force on 4 January 2023.

Legal and Constitutional References

- 5.6 The council's Constitution Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing and Growth Committee and includes:
- Responsibility for housing matters including strategy, homelessness, social housing and housing grants, private sector housing, regeneration strategy and oversee major regeneration schemes, asset management, economic development including employment strategy, business support and engagement and town centres.
 - To receive reports on relevant performance information and risk on the services, under the remit of the Committee.

Insight

5.7 In recent months, the council has significantly improved the way in which it uses data, insight and analysis to drive decision making and service delivery. A new cross-cutting data insight team has been established which is now working closely with Growth colleagues as well as others across the organisation. The activities set out in the report draw on various analyses undertaken by the Insight Team.

Social Value

5.8 Social value is a core part of the Growth Strategy and will be maximised throughout.

Risk Management

5.9 The council has an established approach to risk management, which is set out in the Risk Management Framework. Managing risk is an essential part of programme management and will be used to inform key decisions relating to economic recovery and the delivery of the Corporate Plan.

Equalities and Diversity

5.10 The Equality Act, 2010 outlines the provisions of the Public Sector Equality Duty which requires Public Bodies to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010,
- advance equality of opportunity between people from different groups, and
- foster good relations between people from different groups.

5.11 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

5.12 The Barnet Plan and the Growth Strategy are intended to benefit all communities and groups who live, work and visit the borough, including those with protected characteristics.

5.13 Where individual decisions are required in relation to the recovery programme or Growth Strategy Delivery Plan, these will be considered on a case-by-case basis to ensure no group is disadvantaged or left behind. As required, officers will undertake Equalities Impact Assessments (EQIA) on a case-by-case basis to fully appraise the impacts associated with any proposed course of action in line with the legislation and to take into account the same so far as lawfully required.

Corporate Parenting

5.14 In line with the Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in all relevant decision-making. Promoting independence is priority of the council. Barnet Homes work closely with relevant council departments to ensure that care leavers make a successful transition to independent living

Consultation and Engagement

- 5.15 A strong commitment to community engagement and empowerment is fundamental to the council's approach. Local stakeholder engagement remains a key part of project development and engagement plans will be prepared for all new town centre, housing, regeneration and development projects. Any new schemes brought forward will be subject to consultation where the council considers it appropriate, in addition to where it is legally required.

Environmental Impact

- 5.16 Sections 1.4-1.16, of this report focus on the implementation of recommendations within the manifesto of the new administration that relate to carbon emissions from buildings and sustainability

6. Background papers

- 6.1 Housing and Growth Committee, 27 January 2020, item 16: Growth Strategy
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=9931&Ver=4>
- 6.2 Housing and Growth Committee, 14 September 2020, item 12: COVID-19: Recovery Plan – Thriving,
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10226&Ver=4>
- 6.3 Housing and Growth Committee, 25 November 2020, item 17: COVID-19: Recovery Plan – Thriving
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10227&Ver=4>
- 6.4 Housing and Growth Committee, 25 January 2021, item 9: COVID-19 Recovery Plan,
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10228&Ver=4>
- 6.5 Housing and Growth Committee, 14 June 2021, item 7, COVID-19: Recovery Plan – Thriving, <https://barnet.moderngov.co.uk/documents/s65201/COVID-19%20Recovery%20Plan%20Thriving.pdf>
- 6.6 Housing and Growth Committee, 13 September 2021, Covid-19: Recovery Plan – Thriving, Item 8,
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10846&Ver=4>
- 6.7 Housing and Growth Committee, 16 November 2021: Thriving Update, Item 7
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10847&Ver=4>
- 6.8 Decision - Approval of sites for connection to Fibre Breadboard using grant funding, 28 January 2022:
<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=8741>
- 6.9 Housing and Growth Committee, 13 February 2022: Thriving Update, Item 11, [Agenda for Housing and Growth Committee on Thursday 17th February, 2022, 7.00 pm | Barnet Council \(moderngov.co.uk\)](#)

- 6.10 Housing and Growth Committee, 13 June 2022: Housing and Growth Priorities update, Item 8, <https://barnet.moderngov.co.uk/documents/s72866/20220613HAG-HG%20Committee%20Priorities%20Update.pdf>
- 6.11 Housing and Growth Committee, 25 October 2022: Housing and Growth Priorities update, Item 8, [Committee Report \(moderngov.co.uk\)](#)
- 6.12 Strategic Planning Committee, 15 December 22: 22/2599/RMA – Grahame Park, London, NW9 5XA (Colindale North) , Item 6, [Agenda for Strategic Planning Committee on Thursday 15th December, 2022, 7.00 pm \(moderngov.co.uk\)](#)

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Rough Sleeping Housing and Growth Committee Briefing Note

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1. How are rough sleepers supported in Barnet?

Barnet Homes' Rough Sleeper Team receive referrals through different routes, including from:

- Street Link's Rapid Response Outreach Team
- St Mungo's No Second Night Out Team
- other council services, and
- local councillors and residents.

The Rough Sleeper Team undertake outreach work twice a week, from 5am on Tuesday and Friday mornings. The team try to cover as much of the borough as possible, as they seek to locate rough sleepers who have been referred to them. The team also visit areas which are common for rough sleepers to bed down, such as in the Grahame Park estate.

If a rough sleeper is located bedded down or about to bed down, their details are taken, and they are added to the Combined Homelessness and Information Network (CHAIN) – a multi-agency database which records information about people sleeping rough in London, and which is managed by Homeless Link.

Once the Rough Sleeper Team establishes contact with a rough sleeper, the team seeks to complete a triage and full housing needs assessment, to determine what housing assistance can be provided.

2. The 'Everyone In' initiative

On 26th March 2020 – at the beginning of the pandemic – the Homelessness Minister provided clear instruction to local authorities in England, asking them to accommodate everyone who was rough sleeping or at risk of rough sleeping, regardless of whether they were verified rough sleepers. The 'Everyone In' initiative resulted in rough sleepers being offered accommodation irrespective of their immigration status and whether they had recourse to public funds. This initiative lasted from March 2020 to March 2022.

We note that during the pandemic:

- The Rough Sleeper Team receiving a high volume of referrals from trusted agencies including HAB. Within the public health emergency, the Rough Sleeper Team accepted these referrals – but lacked the capacity to complete their usual checks. The volume of referrals resulted in a large increase in the number of rough sleepers residing in temporary accommodation (TA) in Barnet.
- Barnet Homes worked closely with Homeless Action in Barnet who coordinated food deliveries for customers with no recourse to public funds who were living in TA. This provision is no longer in place.

Since the Everyone In initiative has ended, Barnet Homes now only accommodates verified rough sleepers (i.e. those who show up on the CHAIN database). Currently, there are some customers with no recourse to public funds residing in TA, but this is being addressed as customers' immigration cases are resolved. Individuals who were accommodated during Everyone In have received a full housing needs assessment, and Barnet Homes has sought to resolve their housing issue – for example through referrals to the Single Homeless Team.

3. Data on Barnet Homes' rough sleeper cohort

Between Q1 2019/20 and Q2 2022/23, Barnet Homes received 350 approaches for assistance from rough sleepers¹. Since the increase in the beginning of 2020/21, there is an average of around 18 rough sleepers approaching Barnet Homes per quarter.

Rough Sleeper approaches from 2019/20 to 2022/23 (YTD)					
Fiscal Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Grand Total
2019/20	3	5	32	63	103
2020/21	81	19	27	23	150
2021/22	23	12	8	17	60
2022/23	20	17	-	-	37
Grand Total	127	53	67	103	350

There is seasonal variation, with more approaches for assistance during the colder months in Q3 and Q4.

Age

At the date of approach:

- For the full period (2019/20 to 2022/23 year to date as of the end of Q2), 35.7% of rough sleepers were 35-44 years' old. In 2022/23 to date, 40.5% of rough sleepers have been in this age group. In contrast, 20.8% of the borough of Barnet's residents are 35-44².
- 24.0% of rough sleepers were 45–54-years' old (this is the second largest age cohort). In 2022/23 to date, 24.3% have been in this age group, with an increase in those aged 55-64. In contrast, 18.1% of Barnet's residents are 45-54².

Gender

- For the full period, 83.1% (291/350) rough sleepers were men, and 16.9% (59/350) were women. In 2022/23 to date, 75.7% have been men. Whilst the proportion of women who have been rough sleepers has been increasing year-on-year during this period, there is disproportionate representation of men who are rough sleeping, as in Barnet only 48.4% of residents were men, compared with 51.6% of residents were women³.

¹ Here, we include those whose primary homeless reason on Jigsaw is the 'Rough Sleeper Project', or whose secondary homelessness reason is 'Rough Sleeper'.

² Based on 2021 Census results of those aged 20 and older.

³ Based on 2021 Census results of all residents within the borough.

Ethnicity

- White and Black or Black British were the two most common ethnicity groups of rough sleepers.
- For the full period, 71.8% (245/341) rough sleepers whose ethnicity data was captured were White. In 2022/23 to date, 60% have been White. In contrast, 67.6% of Barnet's residents are from a White background³.
- For the full period, 11.1% (38/341) rough sleepers were from a Black or Black British background – compared with 7.9% of Barnet's residents³. In 2022/23 to date, 17.1% have been from a Black or Black British background; there has been an increase in those from a Mixed or Multiple ethnicity background and those from an 'Other' background.

4. Single night figure estimates for rough sleepers

Every year, local authorities in England report how many people they believe are rough sleeping on a typical night between 1st October and 30th November. These single night figures enable the Department for Levelling Up, Housing and Communities to track trends in rough sleeping numbers.

This year, Barnet's spotlight street count took place from midnight on Thursday 17th November into the morning of Friday 18th November. Barnet reported a figure of 8 rough sleepers in 2022 – and this figure has been verified by Homeless Link. This single night estimate only includes individuals who Barnet Homes has robust evidence of rough sleeping in the borough on the date in question. The following groups are included in the count:

- People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments).
- People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or "bashes").
- The definition does not include people in hostels or shelters, people in campsites or other sites used for recreational purposes or organised protest, squatters or Travellers.

The 'real' number of rough sleepers is likely to be higher than the estimate, but the same methodology is used each year and the annual snapshot is a good indicator of trends in rough sleeping.

The 2022 figure compares favourably with previous years. 13 people were reported rough sleeping in 2021, and 24 people were reported rough sleeping in 2018 and 2019. See table 4 in appendix 1 for additional results. See also appendix 2 which benchmarks the rough sleeping picture in Barnet against our peers – using data from 2021.

5. Intervention and support

Aside from Barnet Homes' Rough Sleeper Team, the following services and initiatives exist in Barnet to provide support to rough sleepers:

Service or initiative	Description
Barnet 'Somewhere Safe to Stay' Hub	This 17-bed rough sleeper assessment hub provides an immediate “off the streets” offer for rough sleepers. With support provided by Homeless Action in Barnet, this is a short stay for assessment and support with the aim to move occupants on to sustainable long-term accommodation.
BOOST	The Barnet Group-led service BOOST provides free and accessible support for any resident of Barnet. The team comprises staff from Barnet Homes, Barnet Council BELs, Discretionary Housing Payments and Future Path. BOOST also provides employment support for rough sleepers.
Change Grow Live	Barnet Homes has been awarded a total of £709,936 from the Rough Sleeping Drug and Alcohol Treatment Grant. The 2022/23 amount totals at £352,179 and the 2023/24 amount totals at £357,757. This funding is being used to fund specific posts within 'Change Grow Live'. Change Grow Live is a national health and social care charity, supporting people with drugs, alcohol, housing, and other challenges. The posts in Change Grow Live include a Substance Misuse Outreach Worker, a Romanian Outreach Worker, and an Assertive Outreach Nurse. There was due to be a Dual Diagnosis Worker, but there were difficulties with recruiting to this post.
Enabling Assessment Service London (EASL)	Barnet Homes can obtain advice from EASL regarding rough sleeper cases, and staff from this service will come out to meet rough sleepers on the streets, or in other settings, to provide professional opinions and reports. The Rough Sleeper Team meet monthly with EASL to discuss cases.
Homeless Action in Barnet (HAB)	The HAB day centre (36b Woodhouse Road, N12 0RG) provides a range of services to rough sleepers in the borough. These include hot meals, showers and laundry facilities, access to medical services, free internet access, a clothes store, housing advice and support.
Immigration support	Immigration support is commissioned sub-regionally and can be accessed by any rough sleeper who needs assistance with their immigration case.
Rough Sleeper Accommodation Programme	<p>In July 2021, Barnet Homes were awarded £5.4 million to deliver 55 homes under the Mayor's Rough Sleeping Accommodation Programme (RSAP).</p> <p>RSAP properties are let on an assured shorthold tenancy basis for 2 years. Floating support is in place for the duration of the tenancy, and Housing Needs Officers manage the move on process as the end of tenancies near. If a rough sleeper is not ready to move on their tenancy will be reviewed, and they may be able to remain in the property for an additional year. Regarding tenancy sustainment, the Rough Sleepers Coordinator has advised the following:</p> <ul style="list-style-type: none"> • Two rough sleepers have abandoned their tenancies. • There have been no evictions to date, although three rough sleepers are facing possession proceedings. • Two rough sleepers' properties are subject to closure orders.

Severe Weather Emergency Protocol (SWEP)	Barnet has a Severe Weather Emergency Protocol which operates during periods of severe weather to provide emergency accommodation for all rough sleepers in the borough. Access to this provision is through outreach services, Housing Options and HAB.
Together in Barnet	The charity runs a winter night shelter in the borough for rough sleepers during October to May.

6. Key drivers for rough sleeping

Barnet Homes' Rough Sleepers Coordinator confirms that poor mental health and substance misuse are key drivers for rough sleeping. All rough sleepers are deemed to have complex needs due to the high likelihood of health complications within this group. We note that 30% (87/290) of rough sleepers who approached Barnet Homes since 2019/20 had a drug or alcohol dependency. This data was not captured for 60/350 individuals.

Poor mental health and substance misuse often interlink, and can lead to people sleeping rough. These two drivers can also lead to rough sleepers being responsible for antisocial behaviour once they are placed into accommodation.

7. Homelessness and Rough Sleeping Strategy

Preventing and reducing homelessness and taking steps to end rough sleeping continue to be a focus for the council and Barnet Homes. The Homelessness and Rough Sleeping Strategy is currently being refreshed and will focus on the statutory requirements under the Homelessness Act 2002:

- a) Preventing homelessness in the borough;
- b) Securing that sufficient accommodation is and will be available for people in the borough who may become homeless; and
- c) Securing the satisfactory provision of support for people in the borough who are or may become homeless or who have been homeless and need support to prevent them becoming homeless again.

The next section of this briefing note summarises some of the key issues and challenges Barnet Homes and partner agencies and council departments are facing in supporting rough sleepers. These issues will be targeted through both the Homelessness and Rough Sleeping Strategy and the Housing Strategy, which is also being refreshed. Key areas of focus for the Homelessness and Rough Sleeping Strategy that relate specifically to rough sleepers are expected to include:

- Continuing to identify those most at risk of homelessness and further tackling the root causes of homelessness;
- Continuing to work in partnership, and strengthening this approach, to 'upstream' early intervention, provide support to those disproportionately affected by homelessness and/or rough sleeping, and strengthen housing-related support and personal support including with domestic abuse, mental health problems, drug and alcohol addiction, and poverty, debt, and unemployment;
- Ensuring adequate advice and information to improve awareness and support; and

- Working to improve the supply of accommodation within the borough, including looking to address specialist and complex needs.

8. Issues and recommendations

In compiling this update for Members, to illustrate in more detail some of the challenges and the potential solutions or actions that could be explored, Barnet Homes' Housing Options Service have identified a set of issues and suggested recommendations to support rough sleepers more effectively. The recommendations will be explored through the refresh of the Homelessness and Rough Sleeping Strategy, and following an internal review of the Housing Options Service that is currently taking place.

i) Lack of supported accommodation

Issues

Barnet Homes has access to short-term supported accommodation for rough sleepers, through:

- the Somewhere Safe to Stay Hub - offering 6-week placements to rough sleepers
- the Golders Green scheme – operated by HAB, offering placements of up to 12 months to rough sleepers with low support needs.

If no room is available, rough sleepers are provided with standard TA units.

There is no longer-term supported accommodation for rough sleepers and single-person households who have medium to high support needs in Barnet. In practice, rough sleepers can rarely access supported accommodation through Adult Social Care – due to their higher thresholds for assistance.

The lack of sufficient supported accommodation causes the following issues:

- Standard TA is not always suitable for rough sleepers, since many have complex needs and require additional support that Barnet Homes is unable to provide.
- Rough sleepers living in Rough Sleeping Accommodation Programme (RSAP) properties sometimes do not engage with the floating support that is offered – and when that happens their support needs are not met, leading to a decline in their health and increased risk of a return to rough sleeping.
- Rough sleepers can also sometimes cause anti-social behaviour and accrue rent arrears, which can make maintaining a tenancy difficult for this group. The Rough Sleeper Team engage with a lot of repeat customers who will return to the streets after they have been moved on to off-street accommodation.
- Universal Credit's rules stipulate that if a single person resides in supported accommodation for 3 months or more, then they become exempt from the single room rate. This exemption is usually needed to make studio properties affordable for our single applicants. While the Golders Green scheme can be used to obtain this exemption for rough sleepers with low support needs, there is no similar provision for vulnerable single-person households who are not verified rough sleepers. The limited move-on options for this cohort could place them at increased risk of becoming rough sleepers in future.

Recommendation

Barnet Homes' Service Improvement Team will produce a business case on the need to explore the procurement of additional supported accommodation to assist this vulnerable customer cohort. If additional supported accommodation could be procured, it would increase the

opportunity to support rough sleepers and single-person households with medium to high support needs.

ii) Rough sleepers can struggle to engage with support services

Issues and challenges

One of the key challenges to supporting rough sleepers is that it is difficult to maintain communication with them. There are a number of communication issues Barnet Homes has identified:

- Rough sleepers are sometimes uncontactable by phone. Barnet Homes currently relies on rough sleepers to either own a phone or to have access to a phone in some capacity in order for triage and full housing needs assessments to be completed.
- Rough sleepers often relocate to other areas, away from where they were found bedded down. It is then difficult for the Rough Sleeper Team to locate the rough sleeper again.
- Some rough sleepers cannot prioritise maintaining good communication with Barnet Homes due to the challenges they are facing in their lives.

Poor communication causes delays to rough sleepers receiving the support that they require. If the housing process takes a long time to complete, the risk of disengagement from rough sleepers increases.

Recommendations

This is a difficult issue to address. However, the Housing Options Service is purchasing cheap mobile phones to hand out to rough sleepers. This was a useful tool when SWEP was in place in mid-December.

In addition, Housing Options will ask on-site workers at Golders Green scheme (and other shared accommodation) to print out communications (e.g. letters about property offers) and to place them under rough sleepers' doors.

Appendix 1: additional data on the rough sleeping cohort

Table 1: Age group of rough sleepers by fiscal year							
Fiscal Year	18-24	25-34	35-44	45-54	55-64	65-89	Total
2019/20	1	25	38	24	15	0	103
2020/21	3	29	55	41	17	5	150
2021/22	8	15	17	10	6	4	60
2022/23 (YTD)	0	7	15	9	6	0	37
Grand Total	12	76	125	84	44	9	350

Charts 1 and 2: Age group of rough sleepers by fiscal year (number and %)

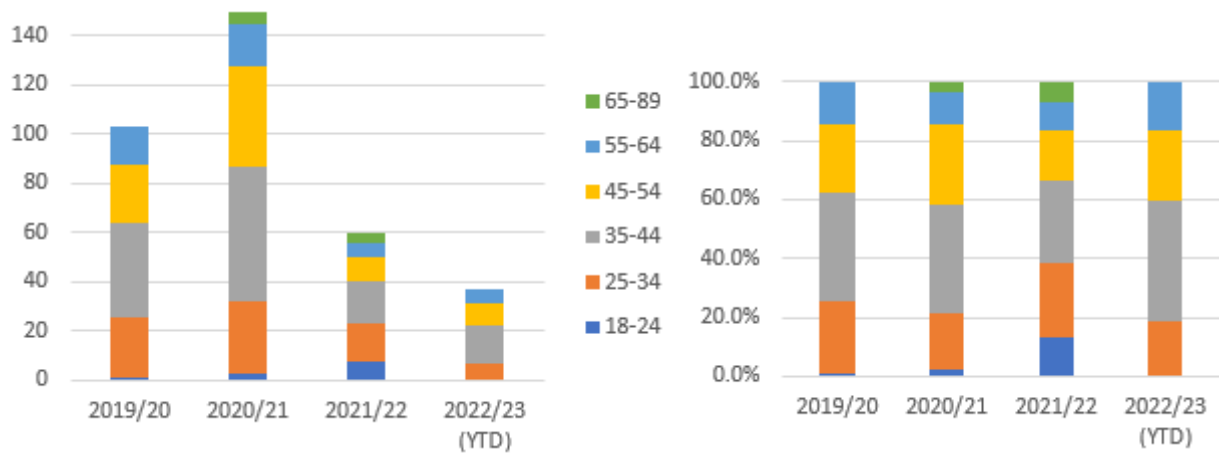


Table 2: Gender of rough sleepers by fiscal year					
Gender	2019/20	2020/21	2021/22	2022/23 YTD)	Total
Female	11	27	12	9	59
Male	92	123	48	28	291
Grand Total	103	150	60	37	350

Charts 3 and 4: Gender of rough sleepers by fiscal year (number and %)

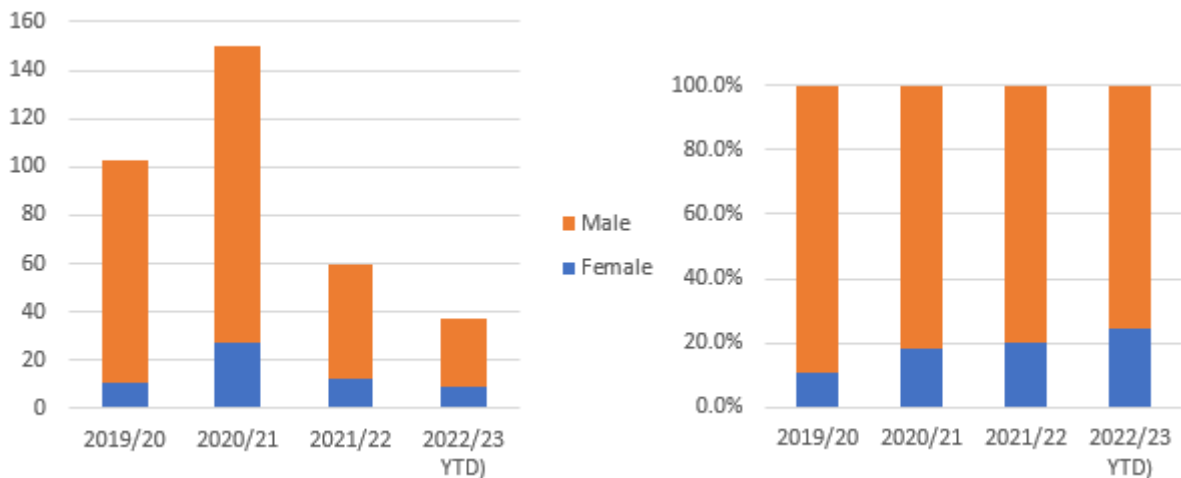


Table 3: Ethnicities of rough sleepers by fiscal year						
Ethnicity	2019/20	2020/21	2021/22	2022/23 (YTD)	Total	%
Black or Black British	5	17	10	6	38	11.1%
Asian or Asian British	10	8	3	2	23	6.7%
Mixed Ethnicities	2	8	4	3	17	5.0%
White	77	109	38	21	245	71.9%
Any other ethnic group	3	0	1	0	4	3.2%
Don't know / refused	3	2	2	0	7	2.1%
Grand Total	101	145	60	35	341	100.0%

Charts 5 and 6: Ethnicities of rough sleepers by fiscal year (number and %)

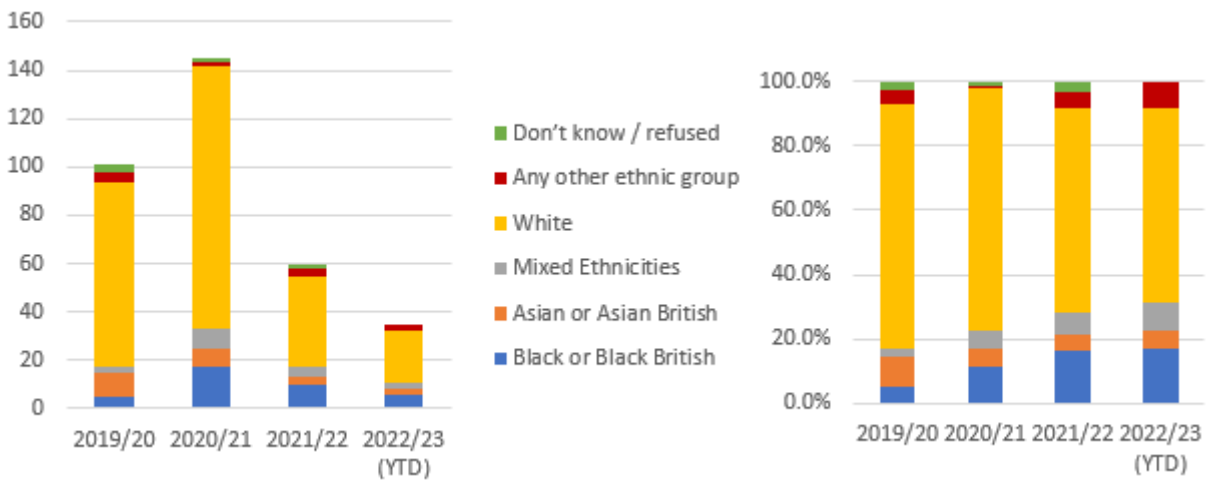


Table 4: Rough sleeper single night figures from the annual estimates	
Year	Count
2016	22
2017	21
2018	24
2019	24
2020	6*
2021	13*
2022	8

*We note that the Everyone In initiative will have resulted in fewer people sleeping rough – hence the low figures in 2020 and 2021.

Appendix 2: benchmarking against our peers

The table below provides comparative data on the number of people sleeping rough in London on a single night in autumn 2021⁴ - taken from last year's count. The 2022 data is not yet available.

Local Authority	Single night estimate
Barking and Dagenham	1-4
Barnet	13
Bexley	7
Brent	17
Bromley	1-4
Camden	97
City of London	20
Croydon	11
Ealing	23
Enfield	21
Greenwich	9
Hackney	11
Hammersmith and Fulham	1-4
Haringey	10
Harrow	1-4
Havering	1-4
Hillingdon	9
Hounslow	1-4
Islington	13
Kensington and Chelsea	11
Kingston upon Thames	28
Lambeth	29
Lewisham	7
Merton	5
Newham	17
Redbridge	15
Richmond upon Thames	1-4
Southwark	10
Sutton	1-4
Tower Hamlets	28
Waltham Forest	5
Wandsworth	18
Westminster	187

⁴ [Rough sleeping snapshot in England: autumn 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/rough-sleeping-snapshot-in-england-autumn-2021)



Housing & Growth Committee AGENDA ITEM 10

17 January 2023

Title	Fire Safety Update
Report of	Chair of Housing & Growth Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A - Fire safety and the council's response to the Grenfell Tower tragedy Appendix B - Barnet Council Fire Safety Action Plan
Officer Contact Details	Alaine Clarke, Head of Programmes, Performance and Risk alaine.clarke@barnet.gov.uk

Summary

This report provides an update on the progress of fire safety works within the borough since the last update to Members of Housing & Growth Committee in November 2022.

Officers Recommendations

That the Committee note the fire safety update.

1. Summary

- 1.1 This report provides an update on the progress of fire safety works within the borough since the last update to Members of Housing & Growth Committee in November 2022.

2. Key local updates

Council Housing

- 2.1 The programme of remedial works planned by the council have been completed for the Category 1 High Priority Works and Category 2 and 3a Additional Fire Safety Works at Longford Court, Norfolk Close and Prospect Ring.
- 2.2 The installation of sprinklers at Granville Road are complete other than a single non-access property for which Barnet Homes continue to escalate means of access. The works at Upper Fosters towers are complete. The installation of sprinklers to sheltered housing blocks have been completed other than the Potteries and Hanshawe Drive schemes, which are due to complete in Q4 2022/23 due to delays in planning considerations and relocating residents. Works at the hostels are now fully complete.
- 2.3 Fire safety works at St John's Close sheltered housing block will be complete in Q4 2022/23 following significant delays due to persistent non-access. These works are being incorporated with electrical and heating upgrade works.
- 2.4 Tetra and WSP have delivered the fire risk assessment survey programme for low and medium rise blocks totalling 900+ reports. An assessment of future investment need has been developed and budget provision of £29.5m for a 5-year investment programme has been approved. These works will include compartmentation; fire doors to communal areas and flats; fire detection systems; emergency lighting and fire signage. These works will start on site in earnest in April 2023, allowing for the appropriate consultation with tenants and leaseholders.
- 2.5 The programme of fire door replacements has continued with c.3600 door installations now completed. A potential concern has been raised over external fire doors which may result in MSPS having to replace a further 300+ door – certifications to this end are being checked. The fire door inspector has surveyed over 900 doors and some minor issues with these are being dealt with by MSPS. MSPS has revised its completion date to May 2023 as a result of these issues. Another 1400 doors are being replaced through separate arrangements, most of which form part of existing fire safety works in programme. Any door replacements outstanding from the main contract will be added to this separate contract in Q4 2022/23. All doors have now been tagged and inputted onto the Hilti database.
- 2.6 The High-Pressure Laminate (HPL) cladding systems fitted to the three blocks (Clare, Norden and Whychcote Point) on the Whitefield Estate has been removed and the original stay-put fire strategy for the block reinstated. No replacement cladding has been installed to these blocks due to impending regeneration. A small number of issues relating to the reduced thermal insulation at these blocks continue to be actively managed.
- 2.7 Risk mitigation measures are progressing well at Stanhope and Holmsdale Large Panel System (LPS) blocks, with the second phase of works now underway. UK Power Networks

(UKPN) has submitted a wayleave request for a new sub-station which will enable works to be completed. However, an issue regarding land transfer is currently with solicitors and UKPN's work is not scheduled to complete until March 2023.

Registered Providers

- 2.8 Currently four Registered Providers (RPs) have confirmed ACM (Aluminium Composite Material) or non-ACM (but combustible) cladding on their blocks¹.
- 2.9 One RP has completed all works to the block affected.
- 2.10 A second RP has completed the cladding replacement works with no recharges to leaseholders. Fire stopping behind the cladding has been upgraded to fully comply with current standards. The RP is still awaiting sign off from the Greater London Authority (GLA)/Department for Levelling Up, Housing and Communities (DLUHC) cladding claim before the contractor can engage on the PAS 9980 assessment. This is expected in the New Year after which they will proceed.
- 2.11 A third RP, with a block held through a lease, has an up-to-date Fire Risk Assessment (FRA) and the freeholder is responsible for replacing the cladding. They have been awarded funding from the GLA. The freeholder has appointed a contractor and works have commenced but are experiencing delays due to financing of the recladding work. The RP has taken legal advice regarding the lack of progress from the freeholder in completing these works and is looking for alternative options to ensure the required works are completed. The RP is currently not passing on service charge costs to leaseholders until the matter is finalised.
- 2.12 A fourth RP has several blocks located in three different estates in Barnet that require fire safety work. On Estate 1, works are complete and EWS1 certificates have been issued or are being sought. On Estate 2, the contract has been finalised and is in the process of being signed by all parties, with an expected start on site in January 2023. The internal compartmentation works to all blocks were due to start in December 2022. On Estate 3, works are progressing or are due to commence shortly. Once the works are complete the EWS1 certificate can be issued.

Private Sector Buildings (some blocks referenced may have housing association aspects)

- 2.13 Currently there are 54 live cases prioritised (considering height, ACM cladding, other high risk indicators e.g. compartmentation issues and issues raised by tenants and/or councillors) and 17 cases pending more detailed review. 58 cases have been reviewed and identified as low priority given their construction and/or height. The Fire Safety Risk Assessment will be/is being obtained on these properties for review/action prior to case closure. 103 cases have been closed following assessment as either works completed or no fire safety works required.
- 2.14 Full inspections have been completed on four ACM clad buildings over 18 metres (727 units) due to the high-risk of the structures, plus a non-ACM block considered high risk due to height and compartmentation issues. This block narrowly avoided prohibition by the London Fire Brigade. Improvement notices have been served in relation to four of these blocks, and one of these notices was varied at the request of the owner.

¹ This can change over time with updated government guidelines and monitoring arrangements.

2.15 Appeals to tribunal have been received in relation to one block to date, and at the hearing in November 2022 the owners agreed to complete the majority of the works by July 2023. The block is already free from ACM cladding and the category 1 hazard reduced to a category 2 hazard. This result was a major achievement given the time and resource that the case had required for the past two years. Works are progressing at all blocks where notices have been served.

2.16 **Full details of the local context are set out in Appendix A, with progress against the defined action plan set out in Appendix B.**

3. Reasons for recommendations

3.1 The council needs to ensure the safety of residents living in Barnet by delivering either directly or indirectly the fire safety works programme.

4. Alternative options considered and not recommended

4.1 None.

5. Post decision implementation

5.1 The council will continue to co-ordinate delivery of the agreed action plan in Appendix B.

5.2 Barnet Homes will continue to progress the council's programme of works to improve fire safety within its own stock as set out in Appendix A.

5.3 The council will continue to proceed to arrange enforcement action to ensure compliance and remediation where required.

6. Implications of decision

6.1 Corporate Priorities and Performance

6.1.1 The Barnet Homes Annual Delivery Plan 2022/23 sets out the framework for the delivery of Housing Management, Homelessness and Development services to be provided by Barnet Homes. It relates to the seventh year of the ten-year Management Agreement with Barnet Homes and commenced on the 1 April 2022. It includes an action to provide additional investment in fire safety measures for council housing.

6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

6.2.1 £51.9m was allocated for the original 'Phase 1' of fire safety works, which is now 98% expended. £29.5m was approved for 'Phase 2' of the fire safety programme to cover the next 5 years and works have commenced.

6.3 Legal and Constitutional References

6.3.1 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing & Growth Committee:

(1) Responsibility for:

- Housing (including housing strategy; homelessness; social housing and housing grants; private sector housing and leasing; housing licensing and enforcement; HRA Revenue Account and Capital Programme)
- Regeneration Strategy and Overseeing Major Regeneration Schemes
- Asset Management
- Development of Council Land
- Fire Safety
- Economic Development including Employment Strategy; Business Support and Engagement; and Town Centres

(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.

(4) To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.

6.3.2 The Housing Act 2004 (sections 3 and 4) require local authorities to keep the housing conditions in their area under review and to inspect the same if it considers a Category 1 or 2 hazard (as defined by the Act) exists and gives powers to intervene where they consider housing conditions to be in breach of the same.

7. Insight

7.1 There is no insight relevant to this report.

8. Social Value

8.1 There are no social value considerations as part of this report.

9. Risk Management

9.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. There is a risk that limited engagement with the housing sector could lead to their lack of compliance with government legislation/regulations resulting in potentially unsafe housing and harm to residents. There are controls/mitigations in place to manage the risk.

10. Equalities and Diversity

10.1 The Equality Act, 2010 outlines the provisions of the Public Sector Equality Duty which requires Public Bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people of different groups.
- Foster good relations between people from different groups.

10.2 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

10.3 There are no direct implications for Equalities and Diversity arising from this report.

11. Corporate Parenting

11.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

12. Consultation and Engagement

12.1 There is ongoing engagement with the housing sector to monitor the progress of fire safety works.

13. Environmental Impact

13.1 There are no direct environmental implications in relation to this report.

14. Background papers

14.1 None.

APPENDIX A: Fire safety and the council's response to the Grenfell Tower tragedy (January 2023)

1. Introduction

1.1 This report provides a progress update on fire safety issues in Barnet, including progress on the agreed package of fire safety improvement works for council properties managed by Barnet Homes, as well as activity in relation to relevant Registered Providers (RPs) and Private Sector housing stock.

2. Council Housing

2.1 The fire safety delivery programme for council housing stock continues to progress well:

Item	Cost	Status
Granville Road cladding removal, recladding and associated costs	£5,922,900	Completed
Category 1 High Priority works	£9,220,433	Completed
Additional fire safety works to high rise buildings (Category 2 and 3a works)	£12,656,667	99% complete
Installation of sprinklers to High Rise blocks with 2 stairwells	£3,220,000	Completed
Installation of sprinklers to sheltered housing blocks	£2,330,000	98% complete
Installation of sprinklers to hostels	£150,000	98% complete
Works to low and medium rise blocks (Inc. undertaking of type 3 FRA's and any urgent arising works)	£7,900,000	85% complete
Replacement of composite fire doors	£10,500,000	95% complete
Total	£51,900,000	

2.2 **Granville Road Recladding** - Completed.

2.3 **Category 1 High Priority Works** – Completed.

2.4 **Additional fire safety works (Category 2 and 3a)** - The scheduled works at Longford Court, Norfolk Close and Prospect Ring are complete. Additional ventilation works is being undertaken now.

2.5 **Installation of sprinklers to blocks of flats with 10 or more floors and 2 or more stairwells** – Granville Road fire safety works are complete other than a single non-access property for which Barnet Homes are escalating means of access. The works at Upper Fosters towers are complete.

2.6 **Installation of sprinklers to sheltered housing blocks and hostels** - All works at sheltered blocks are complete other than the Potteries and Hanshawe Drive schemes which are due to complete in February 2023.

2.7 Fire safety works at St John's Close sheltered housing block are almost complete, but ongoing access issues with two remaining flats means that the programmed works are not yet fully complete. All means are being explored to access the remaining flats.

2.8 **Works to low and medium rise blocks (incl. Type 3 Fire Risk Assessments (FRAs) and any urgent arising works)** - Tetra and WSP have completed the fire risk assessment survey programme for low and medium rise blocks, with 900+ reports now received. An assessment of future investment need has been developed and budget provision of

£29.5m for a 5-year investment programme has been approved. These works will include compartmentation; fire doors to communal areas and flats; fire detection systems; emergency lighting and fire signage.

- 2.9 **Replacement of composite fire doors** – The programme of fire door replacements has continued with c.3600 door installations now completed. Revised completion date is May 2023. Another 1400 doors are being replaced through separate arrangements, most of which form part of existing fire safety works in programme. Any door replacements outstanding from the main contract will be added to this separate contract post-December 2022.
- 2.10 **Whitefield Estate - tower block cladding system** – The High-Pressure Laminate (HPL) cladding systems fitted to the three blocks (Clare, Norden and Whychcote Point) on the estate has been removed and the original stay-put fire strategy for the block reinstated. No replacement cladding has been installed to these blocks due to impending regeneration.
- 2.11 **Large Panel System (LPS) buildings** - Risk mitigation measures are progressing well at Stanhope and Holmsdale Large Panel System (LPS) blocks, with the second phase of works now underway. UK Power Networks (UKPN) has submitted a wayleave request for a new sub-station which will enable works to be completed shortly, although delays in establishing land ownership has delayed UKPN's work here.
- 2.12 **Responding to changing legislation** - Barnet Homes has confirmed that 15 buildings will be considered 'in-scope' of the Building Safety Act within the council stock. Associated resources have been identified and a provision made within the current version of the Housing Revenue Account Business Plan. A report on Accountable Person approach was considered by Strategic Review Board in early November 2022.

3. Registered Providers (RPs)

- 3.1 Currently four RPs have confirmed ACM (Aluminium Composite Material) or non-ACM (but combustible) cladding on their blocks².
- 3.2 One RP has completed all works to the one block affected. All the properties were rented, and costs were not rechargeable.
- 3.3 A second RP has completed the cladding replacement works with no recharges to leaseholders. Fire stopping behind the cladding has been upgraded to fully comply with current standards. The RP is still awaiting sign off from the Greater London Authority (GLA)/Department for Levelling Up, Housing and Communities (DLUHC) cladding claim before the contractor can engage on the PAS 9980 assessment. This is expected in the New Year after which they will proceed. In the interim, the RP has jointly selected a suitable fire engineer to complete the survey. The result of the PAS assessment will determine if any further remedial work is required. The building is currently safe with the cladding replaced and appropriate measures (evacuation alarm, etc) in place to ensure resident safety.
- 3.4 A third RP, with a block held through a lease, has an up-to-date Fire Risk Assessment (FRA) and the freeholder is responsible for replacing the cladding. The freehold was sold in September 2020 and received initial funding approval in October 2020. They have been

² This can change over time with updated government guidelines and monitoring arrangements.

awarded funding from the GLA. The freeholder has appointed a contractor and works have commenced but are experiencing delays due to financing of the recladding work. The RP has taken legal advice regarding the lack of progress from the freeholder in completing these works and is looking for alternative options to ensure the required works are completed. The RP is currently not passing on service charge costs to leaseholders until the matter is finalised. The block is being monitored by Building Control and Environmental Health.

3.5 A fourth RP has several blocks located in three different estates in Barnet that require fire safety work:

- Estate 1 – Works are now complete and the EWS1 certificate has been issued for one of the properties and a further two EWS1 certificates are being progressed.
- Estate 2 – Contract negotiations are ongoing with the developer and RP. One of the blocks has recently stalled progress due to other pledge commitments and the Building Safety Fund (BSF) outcome is awaited. The RP and developer have agreed what is betterment and what are defects for several blocks on the estate, one of which is to be remediated together with the private owner. The BSF application was rejected for one of the blocks and the RP will likely be liable for costs via service charge as the Head Lessee. Discussions are ongoing with the developer on the programme of works. An initial 10 month programme has been submitted but no start date has been agreed. The RP is working with consultants on PAS 9980 and this is unlikely to change the developers scope. A residents meeting is held every month, and residents were recently informed that the project will not commence on site until 2023.
- Estate 3 - The contract has been finalised and is in the process of being signed by all parties, with an expected start on site in January 2023. The internal compartmentation works to all blocks were due to start in December 2022.

Four blocks are being fully funded by a contractor, one other is being funded by the RP and internal works to all blocks are being funded by the RP. Two blocks have commenced works in September 2022 and the third block was due to commence in mid-November 2022. The fourth block will commence in January 2023. Once these are complete the EWS1 certificate can be issued in May 2023. Surveys have been completed and have the scope and cost of compartmentation works have been agreed.

3.6 All large RPs in the borough remain in regular communication over the fire safety of their affordable housing. A survey has recently been sent out to all RPs requesting data on all blocks between 11-18 metres in height. The results are being recorded and will be reported accordingly.

4. **Private Sector buildings (some blocks referenced may have housing association aspects)**

4.1 Currently, there are 54 live cases prioritised (considering height, ACM cladding, other high risk indicators e.g. compartmentation issues and issues raised by tenants and/or councillors) and 17 cases pending more detailed review. 58 cases have been reviewed and identified as low priority given their construction and/or height. The Fire Safety Risk Assessment will be/is being obtained on these properties for review/action prior to case

closure. 103 cases have been closed following assessment as either works completed or no fire safety works required.

- 4.2 Full inspections have been completed on four ACM clad buildings over 18 metres (727 units) due to the high-risk of the structures, plus a non-ACM block considered high risk due to height and compartmentation issues. This block narrowly avoided prohibition by the London Fire Brigade. Improvement notices have been served in relation to four of these blocks, and one of these notices was varied at the request of the owner.
- 4.3 Appeals to tribunal have been received in relation to one block to date, and at the hearing in November the owners agreed to complete the majority of the works by July 2023. The block is already free from ACM cladding and the category 1 hazard reduced to a category 2 hazard. This result was a major achievement given the time and resource that the case had required for the past two years. Works are progressing at all blocks where notices have been served.
- 4.4 There are now 1.5 FTE Enforcement Officers working on the project with another Enforcement Officer due to start in January 2023. Work continues on reviewing cases on the database, obtaining and assessing any linked Fire Risk Assessments, EWS1 and other fire safety documentation, and trying to obtain alignment between the DLUHC data management system and the council's data management systems.
- 4.5 The team continues to work with the London Fire Brigade in relation to this area to try and ensure a uniform approach to enforcement and a monthly meeting is undertaken. There are also regular meetings to report progress to DLUHC and the Private Sector Housing Manager now chairs the London Councils Fire Safety Group for Private Sector Residential Blocks. This group has agreed to review the partnership working arrangements with the London Fire Brigade on this matter and Barnet will be involved in this review.

Appendix B: Barnet Council Fire Safety Action Plan (January 2023)

1.1 The table below captures only actions that remain ongoing at the time fire safety was last reported to the Housing & Growth Committee, together with any new actions that have arisen.

Action	Status	Notes
Undertake high priority works identified in surveys	Completed	High priority works have been completed.
Work with government and RPs to ensure actions to address any fire safety concerns are addressed	Ongoing	<p>Currently four Registered Providers (RPs) have confirmed ACM (Aluminium Composite Material) or non-ACM (but combustible) cladding on their blocks³.</p> <ul style="list-style-type: none"> • One RP has completed all works to the block affected. • A second RP has completed the cladding replacement works with no recharges to leaseholders. Fire stopping behind the cladding has been upgraded to fully comply with current standards. The RP is still awaiting sign off from the GLA/DLUHC cladding claim before the contractor can engage on the PAS 9980 assessment. • A third RP, with a block held through a lease, has an up-to-date FRA and the freeholder is responsible for replacing the cladding. They have been awarded funding from the GLA. The freeholder has appointed a contractor and works have commenced but are experiencing delays due to financing of the recladding work. The RP has taken legal advice regarding the lack of progress from the freeholder in completing these works and is looking for alternative options to ensure the required works are completed. • A fourth RP has several blocks located in three different estates in Barnet that require fire safety work. On Estate 1, works are complete and EWS1 certificates have been issued or are being sought. On Estate 2, the contract has been finalised and is in the process of being signed by all parties, with an expected start on site in January 2023. The internal compartmentation works to all blocks were due to start in December 2022. On Estate 3, works are progressing or are due to commence shortly. Once the works are complete the EWS1 certificate can be issued.

³ This can change over time with updated government guidelines and monitoring arrangements.

Action	Status	Notes
Liaison with owners of blocks with failed ACM cladding	Ongoing	<p>There are 54 live cases prioritised and 17 cases pending more detailed review. 58 cases have been reviewed and identified as low priority. The Fire Safety Risk Assessment will be/is being obtained on these properties for review/action prior to case closure. 103 cases have been closed following assessment as either works completed or no fire safety works required.</p> <p>Full inspections have been completed on four ACM clad buildings over 18 metres (727 units). Improvement notices have been served in relation to four of these blocks, and one of these notices was varied at the request of the owner.</p> <p>Appeals to tribunal have been received in relation to one block to date, and at the hearing in November 2022 the owners agreed to complete the majority of the works by July 2023. The block is already free from ACM cladding and the category 1 hazard reduced to a category 2 hazard. Works are progressing at all blocks where notices have been served.</p>
Actions from Fire Risk Assessments for commercial units beneath residential	Ongoing	<p>For one property, a request for clarification on the authors competency to carry out the FRA has been submitted. While the property does show vast improvement from the first visit in 2021 this final clarification is outstanding and will be pursued in the 1st week of 2023 before deciding if enforcement is needed.</p> <p>The second property has a tenant operating a bric-a-brac type business, for which the layout of the premises may not be suitable, however this does not necessarily provide an increased risk. Moreover, the property is not below a residential property but is a single storey building at the end of a residential block.</p>
Implement the requirements of the Fire Safety and Building Safety Acts	Ongoing	<p>Barnet Homes has confirmed that 15 buildings will be considered 'in-scope' of the Building Safety Act (BSA) within the council stock. Associated resources have been identified and a provision made within the current version of the Housing Revenue Account Business Plan. The BSA introduces an Accountable Person (AP) role which is the duty holder for each of these in-scope buildings and the entity. LBB will be the AP for its High Rise Residential Buildings (HRRBs) and will be required to appoint an individual to discharge the duties of the AP. Following LBB's agreement (proposal being prepared in writing) a consolidated proposal is scheduled to be tabled at TBG Board in March 2023.</p>



Housing & Growth Committee

17th January 2023

Title	Housing & Growth Forecast Financial Outturn at Month 8 (November 2022)
Report of	Chair of Housing & Growth Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None.
Officer Contact Details	Nick Stylianou, Head of Finance – Business Partnering Nicholas.stylianou@barnet.gov.uk Gary Hussein, Head of Finance – Major Projects Gary.Hussein@barnet.gov.uk
Summary	
This report contains a summary of the revenue and capital forecast outturn for the financial year 2022/23 as at Month 8 (30 November 2022) for the budgets within the remit of Housing & Growth Committee.	
Officers Recommendations	
That the committee notes: 1. the current forecast financial outturn for 2022/23. 2. the projected use of reserves.	

1 Summary

1.1 This report sets out the forecast outturn position for the 2022/23 financial year as at 30 November 2022, for the budgets which fall within the Housing & Growth Committee.

1.2 At month 8, the forecast revenue financial outturn on the General Fund is:

- A forecast of £0.122m under budget at month 8, a favourable movement of £0.122m since M6.
- A forecast net reserve top-up of £0.039m.

2 Forecast Position at Month 8

Overview

2.1 As at month 8, the forecast outturn is £0.122m under budget.

Table 1: Forecast Revenue Outturn at Month 8

Housing & Growth	2022/23 Budget	Month 8 (Forecast outturn before reserves)	Reserves applied	Month 8 Forecast outturn after reserves	Month 8 variance after reserves	Month 6 variance	Change from Month 6
	£m	£m	£m	£m	£m	£m	£m
CSG Managed Budget	4.317	4.536	-	4.536	0.219	0.219	-
Employment Skills & Economic Development	0.637	0.637	-	0.637	-	-	-
Estates	1.454	1.284	-	1.284	(0.170)	-	(0.170)
Growth and Housing	0.737	1.331	(0.594)	0.737	-	-	-
Housing Strategy	5.343	5.137	0.020	5.157	(0.186)	(0.234)	0.048
Regeneration	-	0.066	(0.051)	0.015	0.015	0.015	-
Brent Cross Revenue	(2.013)	(2.677)	0.664	(2.013)	-	-	-
Transformation Programme	-	-	-	-	-	-	-
RE Guaranteed Income	(4.473)	(4.473)	-	(4.473)	-	-	-
Total Housing & Growth Committee	6.002	5.841	0.039	5.881	(0.122)	-	(0.122)

2.2 Table 2 provides a breakdown of the variances as at month 8 and underlying budget position.

Table 2: Month 8 variance detailed commentary

Service Areas	Month 8 variance after reserves	Commentary
	£m	
CSG Managed Budget	0.219	<p>£0.219m increase in parking leases at North London Business Park and Harrow Depot, due to delays in the Oakleigh Road Depot programme.</p> <p>Other pressures include:</p> <ul style="list-style-type: none"> • £0.293m cost at Oakleigh Road depot (ORD) for extra Parking and Transport services for the depot consolidation. • £0.123m Apthorp Lodge security costs <p>These costs have been offset by:</p> <ul style="list-style-type: none"> • £0.123m reduction in Annual Work Plan repairs • £0.100m Expected savings in cyclical and planned repairs • £0.135m Backdated rent for commercial tenants • £0.025m Reduced rates based on actual costs to date • £0.020m Saving on security costs • £0.013m miscellaneous surpluses
Estates Management	(0.170)	£0.170m reduction in Estates legal costs and delayed recruitment. This is a favourable movement since M6. £0.100m of the underspend is ongoing and will contribute to the council's 2023/24 MTFS target.
Housing Strategy	(0.186)	£0.186m reduction in the required Bad Debt Provision needed to mitigate risk of outstanding rental income. This is the result of an extensive ongoing review of debt and the overachievement of expected historical debt recovery. This item is a one-off benefit in year.

		<p>The operational costs for running the Temporary Accommodation and Rough Sleeping services are forecasted to budget.</p> <p>The cost of an additional short-term team to manage expected increases in prevention activities and housing support, is now funded through additional Homelessness Grant received in December 2022. Homelessness reserves will be maintained to manage pressures in future financial years.</p>
Regeneration	0.015	Increased legal expenses across Regeneration schemes
Total H&G Committee	(0.122)	

Application of Reserves

- 2.3 The council holds reserves to deal with future pressures where the value or the timing of the pressure is uncertain, or where the funding can only be spent on specific objectives (e.g. grant funding). Reserves are divided into 'earmarked' reserves, where the spending objective is known with some clarity, and 'general' reserves, intended to mitigate the impact of wholly unforeseeable costs. Section 25 of the Local Government Act 2003 requires the chief financial officer to report to the council on the robustness of estimates and the adequacy of financial reserves, and prudent levels are determined by the Chief Finance Officer (the Director of Resources (Section 151 Officer)). Earmarked reserves are usually held by specific services, while general reserves are held corporately.
- 2.4 The use of reserves is not intended to replace savings or income generation opportunities as part of the Medium-Term Financial Strategy (MTFS). Reserves can only be used once and then they are gone. Any use of reserves to replace savings or income generation opportunities is a delaying action, storing up pressures into future years. This could be part of investing in transformational service delivery and is the ultimate last resort during budget setting when a gap cannot be bridged despite best efforts.
- 2.5 This report sets out anticipated use of or top-up of earmarked service reserves within the 2022/23 financial year. The table below provides further detail.

Table 3 Use of or top-up of reserves at Month 8

Service Areas	Forecast (drawdown) / top-up to reserves	Commentary
	£m	
Growth and Housing	(0.594)	<p>£0.279m drawdown for One Public Estate funded works around Colindale and Grahame Park. This includes consultants used to develop a delivery plan, reviewing the connectivity of and use of land, engagement, and communications.</p> <p>£0.211m drawdown of Fire safety reserve, for fire safety enforcement officers reviewing high and mid-rise private sector properties in Barnet and covering new legal and audit requirements.</p> <p>£0.151m drawdown to fund additional staff to manage the backlog of HMO enforcements (visits restricted due to Covid-19) and help fund the cost of the additional housing licencing scheme. This is part of a larger fund of £0.325m from other council reserves. There are 153 possible HMO service requests requiring visits/enforcements to be funded between now and the end of 2023/24.</p> <p>£0.022m BOOST Employment, benefit advice, and skills and wellbeing; part of the council's ongoing commitment to improving resident life outcomes and the local economy</p> <p>£0.046m top up to from Growth and development to fund reviews of potential sites for future regeneration in the borough.</p> <p>To note, the council has received additional Homelessness grant in-year to support prevention activities. The grant conditions stipulate the income must match expenditure incurred in this financial year. Current Housing reserves which were previously forecasted to be used in year, will be maintained for use in future financial years to help fund the expected increasing pressures around Homelessness and Temporary Accommodation.</p>
Housing Strategy	0.020	£0.020m top up for Minerva House. Grant funding to fund running costs and support the continuation of the women's refuge service.

Regeneration	(0.051)	£0.051m drawdown from the Digital and Smart Cities reserve. This is a one-off drawdown to fund the staffing costs required to oversee a project bringing Broadband to areas across the council where there is currently low levels of connectivity.
Brent Cross Revenue	0.664	£0.607m Brent Cross Retail Park top-up to the Brent Cross Retail Park reserve. The reserve assists with the council's future vacant possessions strategy. £0.057m for the creation of an operating reserve for the Brent Cross West Station which goes live in 2023. The amount forecast to top up reserves by is an adverse movement of £0.218m on the M6 reported position due to additional BX revenue pressures.
Total H&G Committee	0.039	

Savings

- 2.6 The budget for the services within the remit of the Housing & Growth Committee for 2022/23 includes planned savings of £0.961m. It is currently forecasted that all £0.961m of these savings will be achieved.
- 2.7 The council previously identified a risk to the delivery of the 500 *Housing Acquisitions Open Door* (ODH) capital programme, which may have impacted the in-year achievement of Temporary Accommodation cost avoidance savings. The risk in 2022/23 is now minimal, after the continuation of the programme was approved to 230 purchases, to the end of 2022/23 at this Committee on 25 October 2022.
- 2.8 In future years, the risk remains. External economic events have resulted in Public Works Loan Board (PWLB) rates now exceeding 4%, and therefore, ODH borrowing rates exceeding 5.24%. Analysis of the ODH business plan identified that a maximum borrowing rate of 4.25% was sustainable. Any funds borrowed above this rate would render the business plan unviable. Progress beyond 220 purchases cannot occur, without council intervention.
- 2.9 Delegated authority was given to the Chair of the Committee, in consultation with the Deputy Chief Executive, to agree terms for loan drawdowns, to complete the purchase to the 300 homes in 2023/24. This represents a risk to future years cost avoidance savings, with the council and The Barnet Group working through potential mitigations.

Table 4 Savings Delivery 2022/23

Savings Reference	Opportunity By Area	Description of saving	2022/23 Savings	Forecast Achievable	Unachievable	RAG Rating
			£m	£m	£m	
G&CS 22 sav 4	Housing Strategy	500 additional acquisitions of properties for use as affordable temporary accommodation by Open Door Homes supported by Loan from Council, as a cheaper alternative to existing temporary arrangements which utilise the private rented sector.	(0.664)	(0.664)	-	
G&CS 22 sav 1	Housing Strategy	Buyback of properties through GLA Buyback grant, which the council will use for temporary accommodation.	(0.056)	(0.056)	-	
G&CS 22 inc 38	Estates	Additional income from the existing commercial portfolio, including new lettings and rent reviews	(0.050)	(0.050)	-	Delivered
G&CS 22 inc 39	Estates	Income received from renting floor space in Colindale Office	(0.075)	(0.075)	-	Delivered
G&CS 22 inc 40	Housing Strategy	Income received as dividends on completed affordable homes delivered by Opendoor Homes	(0.116)	(0.116)	-	Delivered
			(0.961)	(0.961)	-	

Risks and opportunities

2.10 In preparing the report for month 8, various overall (corporate) and service-specific risks have been identified. These are set out below.

2.11 Risks:

- The Estates service conducts monthly reviews of the outstanding commercial debt. This could lead to subsequent write-offs of income related to prior years. An extensive review of all debt at financial year-end 2021-22, resulted in a £0.392m increase in the bad debt provision, which should mitigate the risk of further write-offs. The level of outstanding debt will again be reviewed in detail at month 9.
- The council is in discussion with Catalyst Housing Association, to settle a dilapidations/ reinstatement liability, when surrendering the lease at Apthorp Care Home. The settlement is discussed in a separate paper to this committee. The nature of costs has been reviewed and are likely to be funded through capital funding. If capitalisation is not agreed at Policy & Resources Committee in February 2023, this could cause a revenue (General Fund) pressure when the funds are settled with Catalyst.
- The macro-economic environment is to remain challenging for businesses and personal households. Increases in energy and utilities costs, may cause Temporary Accommodation (TA) demand to rise, if more households are evicted due to inability to pay rents and mortgages.
- Across London, market forces are applying upwards pressure to the costs of TA, making it more difficult for the council to secure affordable, good quality housing. This includes the availability of properties in the private rented sector, and the increasing cost of Nightly-paid, short term TA.

2.12 Opportunities:

- Lease extensions and rent reviews of council owned properties; billing of historic rental income related to existing council sites.
- The early termination of existing contracts that the council is leasing from external parties.
- Brent Cross West pursuing parallel strands of activity with Government sponsors and our commercial partners to recover costs that have arisen by third parties and outside of council control. For example, the week 35 cancellation reported to the committee previously, and cancellations earlier in the station programme.

3 Ringfenced funding

Housing Revenue Account (HRA)

3.1 The HRA budget has been set in line with the 30-year business plan and approved Full Council in March 2022.

3.2 The service-related elements of the HRA are projected to be £0.334m adverse to budget. This will be offset by an increase of £0.334m in RCCO (Revenue contribution to Capital Outlay). The £0.334m adverse variance is comprised of:

- £0.892m adverse position in Housing Management:
 - An increased forecast of £0.746m above budgeted resources due to the revised inflationary increase on TBG Core fees arising from the local government pay award which was budgeted at 3% and the accepted offer averaged at 6.31% for TBG.

- A forecast £0.146m overspend related to additional bin replacements and collections at Grahame Park estate. The in-year target has been assessed through the year, with actuals to date greater than expected. This will continue to be reviewed in the coming months.
- A forecast £0.156m overspend is due to an increase in Gas and Electricity costs on HRA Estates and Sheltered Housing blocks. The increase in costs is not being passed to tenants or leaseholders, who were charged at levels planned at the start of the year which reflected the consumer price cap. The HRA is absorbing the cost in-year.
- Overall, the forecast is now £0.401m less than reported at M7, due to lower Gas and Electricity costs where fewer peak period invoices have been received to date (£0.250m) and the identification of £0.151m regeneration costs which meet the definition of capital expenditure.

Partly Mitigated by:

- £0.120m overachievement on commercial rent income. Similar number of units are expected to be rented out this year, as last year. The number of units are higher than budgeted.
 - £0.115m savings on interest costs on HRA debts. This is due to early borrowing that happened last financial year, taking advantage of the lower interest rates which were available at the time.
 - £0.141m overachievement on income on water rates.
 - £0.096m overachievement on interest income earned on HRA cash balances. This is due to higher average interest rates expected this financial year.
 - £0.261m reduction in the required provision for Bad Debts.
- The forecast includes the capitalisation of regeneration staff costs, associated with site preparation on various regeneration programmes, such as Dollis Valley and Grahame Park.

Table 6: HRA forecast at Month 8

HRA - Revenue	21/22 Outturn	Full year Budget	M8 Actuals	M8 Forecast	M8 Budget Variance
	£m	£m	£m	£m	£m
Dwelling Rent	(50.397)	(52.333)	(26.124)	(52.333)	-
Non-Dwelling Rent	(1.273)	(1.242)	(0.613)	(1.362)	(0.120)
Service & Other Charges	(6.842)	(6.851)	(5.628)	(6.992)	(0.141)
Other Income	0.447	-	-	-	-
Housing Management	19.014	19.451	14.532	20.343	0.892
Other Costs	1.735	1.806	(0.676)	1.962	0.156
Internal recharges	2.839	2.868	0.021	2.868	-
Repairs & Maintenance – Core Fee	8.584	10.462	6.255	10.462	-
Repairs & Maintenance – Non-Core	0.975	-	1.802	-	-
Provision for Bad Debt	0.589	1.261	-	1.000	(0.261)
Regeneration	0.168	0.684	(0.194)	0.704	0.020
Debt Management Expenses	10.103	10.580	-	10.464	(0.116)
Interest on Balances	(0.116)	(0.009)	(0.002)	(0.105)	(0.096)
HRA Controllable (Surplus)/Deficit	(14.174)	(13.323)	(10.627)	(12.989)	0.334
Depreciation	12.221	12.683	-	12.683	-
RCCO*	1.933	0.536	-	0.202	(0.334)
HRA Capital Charges	14.154	13.219	0.000	12.885	(0.334)
HRA (Surplus)/Deficit	(0.020)	(0.104)	(10.627)	(0.104)	-

*(Revenue Contribution to Capital Outlay)

3.3 The projected HRA reserve is £4.124m.

Table 7: HRA reserves at month 8

	B/Fwd	Revenue Movement	Depreciation & RCCO	Forecast Funding for Capex CFR	C/Fwd
	£m	£m	£m	£m	£m
HRA Reserve	(4.020)	(12.989)	12.885	-	(4.124)
Major Repairs Reserve	(2.000)	-	(12.885)	12.886	(2.000)
HRA Reserves	(6.020)	(12.989)	-	12.886	(6.124)

4 Capital Programme

4.1 The Housing & Growth Capital Programme includes:

- 4.1.1 General Fund Capital Programme
 - Housing & Growth Capital
 - Housing & Growth (Brent Cross)
- 4.1.2 Housing Revenue Account Programme
 - Housing Revenue Account

4.2 Housing & Growth Capital

- 4.2.1 The capital forecast outturn at month 8 for 2022/23 is £91.280m; this represents a £44.345m favourable variance from the current 2022/23 budget, approved at September 2022 Policy & Resources Committee. This is due to re-aligning the programmes into future financial years.

Table 7 Current Financial Year Forecast Capital Outturn at Month 8

Service Area	2022/23 Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	2022/23 Forecast	Variance from Approved Budget	Expenditure to date
	£m	£m	£m	£m	£m	£m
Growth and Corporate Services - Housing	56.865	-	(11.832)	45.033	(11.832)	27.450
Growth and Corporate Services - General	74.708	-	(29.108)	45.600	(29.108)	14.958
Re - (Growth and Corporate)	4.052	-	(3.405)	0.647	(3.405)	0.032
Housing General Fund Capital	135.625	-	(44.345)	91.280	(44.345)	42.440

4.2.2 General Fund Housing:

- Upper Lower Fosters (Sage) - £11.832m re-profiled into next year. Delays in finalising the project's technical specification have meant the commencement of on-site construction has moved to 2023/24.

4.2.3 Housing & Growth – General:

- Family Friendly Hub fit-out - £0.358m re-profiled into next financial year. A review has taken place and identified that some services will be provided at different locations, which are being identified.
- Town Centres - £6.043m re-profiled into next financial year due to delays in Finchley Square starting on site, and changes in the delivery programme to align with the wider development.
- Development Portfolio - project timelines reviewed, with £1.073m re-profiled into next year due to programme delays.
- Hendon Hub - £1.613m re-profiling into 2022/23 due to delays to planned acquisitions into the next financial year.
- Public Sector Decarbonisation Scheme 3 £10m - Due to expenditure being re-aligned in to 2023-24 to match grant funding to be received in April 2023.
- Firestopping works at care homes - £10.000m re-profiling into next year due to Winter placement demand and subsequent need to keep bed capacity to maximum available, leading to programme delays.

- 4.2.4 Re (Housing & Growth): The total Colindale Station works budget of £2.858m and £0.547m of Colindale - Highways and Transport has been re-profiled into 2023/24 to reflect planned works.

4.3 HRA Capital Investment

- 4.3.1 The HRA Capital programme budget reflects the most recently approved HRA Business Plan in March 2022.

4.3.2 At month 8, the HRA capital programme is forecasting a £3.617m re-alignment into future financial years.

Table 8 Housing Revenue Account Capital Current Financial Year Forecast Outturn at Month 8

Service Area	2022/23 Budget	Additions/ (Deletions)	(Slippage)/ Accelerated Spend	2022/23 Forecast	Variance from Approved Budget	Expenditure to date
	£m	£m	£m	£m	£m	£m
HRA	114.736	-	(3.617)	111.119	(3.617)	38.567
Grand Total	114.736	-	(3.617)	111.119	(3.617)	38.567

4.3.3 HRA capital programmes are mainly on three areas, Investment in current stock (capital repairs or capital enhancements of existing properties), Development of new properties (new builds) and market acquisition of properties.

4.3.4 All Investment programmes and market acquisitions are forecasting to budget after the re-alignment at September Policy and Resources committee.

4.3.5 Development Programmes:

- £3.617m re-profiling on the Small Sites HRA programme into next financial year to match expected project timelines.

5 Brent Cross

5.1 Brent Cross Revenue

5.1.1 Brent Cross Revenue is forecasted to budget at month 8, no net movement since M6.

- Favourable variance on BX Retail Park of £0.678m, due to improved lease renewals (two units) and one unit operational for longer than initially modelled. This represents a favourable movement of £0.218m from month 6, as the council has reduced the contribution to the Brent Cross West Station operating reserve, due to additional Brent Cross revenue pressures as stated below.

Offset by:

- £0.376m relates to a combination of programme staff pressures for non-capitalisable staff costs and other programme support costs and additional costs for Hendon Waste Transfer Station site.
 - The material adverse movement since M6 £0.189m relates to the forecast NNDR and utility costs for the Hendon site now under council ownership. Other minor adverse movements relating to staff resourcing changes is £0.018m.
- £0.147m reduced BX Rental Income, due to leases ending and the handing over of properties to the Council's Brent Cross Town development partners. The minor adverse movement relates to deferring lease terms by a month on a commercial property £0.017m.
- £0.147m BX South expenditure deemed non-recoverable by the PDA and consequently funded by the Council.
- £0.008m other small variances.

5.2 Housing & Growth - Brent Cross Capital

5.2.1 Brent Cross – The Brent Cross capital programme is currently projecting re-profiling of net expenditure of £9.411m at month 8 for 2022/23, due to revised programme schedules across the wider project. This is an additional re-alignment of £2.450m since M6.

5.2.2 It must be noted that the month 8 forecast discussed below will be presented at Policy and Resources Committee in February 2023, with the capital budgets re-profiled reflect the use of resources this year. The 5-year programme is forecasting on budget.

Table 9 Brent Cross Capital Current Financial Year Forecast Outturn at Month 8

Service Area	2022/23 Budget	Additions/ (Deletions)	Reprofiling (to)/from future years	2022/23 Forecast	Variance from Approved Budget	Expenditure to date
	£m	£m	£m	£m	£m	£m
Brent Cross	83.305	-	(9.411)	73.894	(9.411)	23.185
Brent Cross	83.305	-	(9.411)	73.894	(9.411)	23.185

Table 10 Brent Cross Capital Current Financial Year Forecast Outturn at Month 8

Housing & Growth - Brent Cross	5-year Programme Budget	5-year Programme Forecast	Additions/ Deletions
	£m	£m	£m
Funding for Land Acquisitions	10.043	10.043	-
Brent Cross West	95.511	95.511	-
Critical Infrastructure	16.290	16.290	-
BXT Land Acquisition	17.496	17.496	-
Total Housing & Growth Committee - Brent Cross	139.340	139.340	-

5.2.3 BXC – Funding for land acquisitions

- The forecast at month 8 for 2022/23 identifies a need for accelerating expenditure of £0.915m. This relates to the updated Property Cost Estimate for freeholds/leaseholds, secure tenants, and assured shorthold tenancies. This considers the annual government increase and inflation for both statutory and home loss payments and disturbance costs, as well as bringing forward a couple of acquisitions in year.
- The overall financial position is currently forecasted to budget. As previously noted to this committee, any surpluses in the interim will fund additional workstreams such as Infrastructure 2, the Station Western Entrance Public Realm and BX master planning.

5.2.4 BXT Land Acquisitions

- The forecast at month 8 for 2022/23 identifies a need to accelerate expenditure of £0.177m. This is based on the outcome of a further review in-month, incorporating the updated Property Cost Estimates, as well as the statutory home loss and disturbance costs for residential properties.
- The overall forecast remains on budget and is fully funded under the project development agreement.

5.2.5 Brent Cross West

- The forecast at month 8 for 2022/23 identifies re-profiling expenditure of £7.986m. Station construction is due to complete in early 2023.
 - The overall programme is forecast to budget. However, there are potential pressures due to material cost inflation; supply chain issues due to Covid and the current economic climate, and a risk of cancelled railway possessions, which may prolong the construction programme. The availability and cost of raw materials continues to be an issue even at this late stage.

- Waste Transfer Station and Highways (Geron Way) forecasts have both been updated to reflect the most up to date programmes. This has resulted in £5.828m re-profiling to next financial year.
- £2.092m re-alignment from the BXW delivery programme into the next financial year based on the current work programme.
- £0.066m of remaining work packages have been re-aligned into 2023-24, based on the latest legal and staff utilisation update.

5.2.6 Critical Infrastructure

- The forecast at month 8 for 2022/23 identifies a re-profiling of the budget of £2.517m into 2023/24.
 - £0.894m re-alignment under Plot 53 / 54 into 2023/24. This is due to realigning relocation and legal, and staff utilisation costs post a detailed workstream review.
 - £0.839m acceleration in Southern Junctions PCE considering revised contingency levels required for the acquisitions
 - £1.476m re-alignment on the Tilling Road & Claremont Jct programme into 2023/24, based on the latest programme timelines.
 - £1.000m Transport mitigation measures are no longer required as a separate workstream. This element is now available to fund pressures arising within Critical Infrastructure.
 - Minor additional expenditure in-year on the remaining work packages totals £0.014m. This is due to revised staff utilisation across the critical infrastructure packages.
 - The overall programme is currently forecast on budget.

6. REASONS FOR RECOMMENDATIONS

- 6.1 This report contains a summary of the forecast revenue and capital outturn for the services within the Housing & Growth Committee, for the financial year 2022/23, as at month 8 (November 2022).

7. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 7.1 None

8. POST DECISION IMPLEMENTATION

- 8.1 None

9. IMPLICATIONS OF DECISION

9.1 Corporate Priorities and Performance

- 9.1.1 This supports the council's corporate priorities as expressed through the Barnet Plan for 2020-25 which sets out our vision and strategy for the next five years. This includes the outcomes we want to achieve for the borough, the priorities we will focus limited resources on, and our approach for how we will deliver this.

9.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 9.2.1 This report considers the forecast position of the services under the remit of the Housing & Growth Committee at the end of the financial year.

9.3 Legal and Constitutional References

- 9.3.1 Section 151 of the Local Government Act 1972 states that: "without prejudice to section 111, every local authority shall make arrangements for the proper administration of their

financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”.

Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities to take actions which are calculated to facilitate, or are conducive or incidental to, the discharge of any of their functions.

9.3.2 Under Section 25 of the Local Government Act 2003 (the ‘Act’) the Chief Finance Officer (the Director of Resources (Section 151 Officer)) of the authority must report to the council on the following financial matters:

- (a) the robustness of the estimates made for the purposes of the calculations, and
- (b) the adequacy of the proposed financial reserves.

9.3.3 Section 28 of the Act imposes a statutory duty on the council to monitor, during the financial year, its income and expenditure against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the authority must take such action as it considers necessary to deal with the situation. Sub-section 28(4) of the Act defines whether there is deterioration in an authority’s financial position.

9.3.4 The Financial Regulations in the council’s constitution reflect the responsibility for the oversight and scrutiny of:

The overall financial performance of the services operating within the remit of the respective Theme Committee.

Article 7 of the council’s constitution (Committees, Forums, Working Groups and Partnerships) sets out the requirement for theme committees to receive reports on relevant revenue and capital expenditure.

The council’s current Financial Regulations can be found at:

<https://barnet.moderngov.co.uk/ecSDDisplay.aspx?NAME=SD349&ID=349&RPID=638294>

9.4 Insight

9.4.1 Whilst not specifically applicable to this report, insight is used to support the financial position forecasted in this report through activity drivers and place-based understanding.

9.5 Social Value

9.5.1 None applicable to this report.

9.6 Risk Management

9.6.1 Regular monitoring of financial performance is a key part of the overall risk management approach of the Council.

9.7 Equalities and Diversity

9.7.1 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties, they are not duties to secure a particular outcome. Consideration of these duties should precede the decision. The public sector equality duty is set out at section 149 of the Equality Act 2010 (the ‘EA’) as follows:

· A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EA

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are:

- (a) Age
- (b) Disability
- (c) Gender reassignment
- (d) Pregnancy and maternity
- (e) Race
- (f) Religion or belief
- (g) Sex
- (h) Sexual orientation
- (i) Marriage and Civil partnership

9.7.2 The EA is reflected in the council's Equalities Policy together with the strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

9.7.3 Progress against the performance measures used is published on the council's website at: www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity

9.8 Corporate Parenting

9.8.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

9.9 Consultation and Engagement

9.9.1 None in the context of this report

9.10 Environmental Impact

9.10.1 None in the context of this report

10. BACKGROUND PAPERS

10.1 Housing & Growth Committee 5th September 2022 - [M4 HG Forecast Outturn - PUBLIC.pdf \(moderngov.co.uk\)](#)

10.2 Housing & Growth Committee 16th November 2022 - [M6 HG Committee Forecast Outturn.pdf \(moderngov.co.uk\)](#)

10.3 Housing & Growth Committee 25th October 2022 - 500 Acquisitions Capital Programme Progress Review - [ODH 200 Home Review - HG Committee 25 October 22.pdf \(moderngov.co.uk\)](#)

	<h2>Housing and Growth Committee</h2> <h3>17 January 2023</h3>
Title	1000 Homes
Report of	Chair of Housing and Growth Committee
Wards	All
Status	Public
Urgent	No
Key	Key
Enclosures	N/A
Officer Contact Details	Susan Curran, Head of Housing and Regeneration, susan.curran@barnet.gov.uk

Summary

The delivery of new, affordable homes is a priority for the council. In May 2022 the council's new administration committed to delivering 1000 homes at 50% of market rent or lower. This report provides an update on the delivery of homes to meet this manifesto commitment. This is despite significant financial turbulence that has arisen since that commitment was made and which, in turn, has made scheme viability and deliverability more challenging. Increasing pressures on the Housing Revenue Account has meant that there is limited capacity to deliver additional homes through this route and therefore the council is progressing alternative delivery routes.

Officers Recommendations

1. To note the report and the commitment of the council to deliver 1000 homes at 50% of market rent or lower.

1. Why this report is needed

Context

- 1.1 With the aim of boosting affordable housing delivery to meet housing need in the borough, the council has set the priority of delivering at least 1000 homes at 50% of market rent or lower. The ambition is that these homes are principally delivered or managed by the council and/or The Barnet Group.
- 1.2 This growing need, in part due to the cost-of-living crisis, comes at a time when delivering new homes is more challenging than ever: viability and deliverability of schemes is being compromised by increasing build costs and rising inflation, alongside recent financial turbulence. In addition, other factors, such as the social rent cap set below inflation and rising utilities costs have all contributed to significant increased pressure on the Housing Revenue Account, making it more difficult to deliver new homes.
- 1.3 This report provides a progress update on how the council intends to deliver 1000 homes at 50% of market rent or lower. It is not intended to set out the business cases for individual schemes. These will be brought forward to Committee/Cabinet as solutions are developed.
- 1.4 The report also provides an update on the wider context of affordable housing delivery in the borough.

Meeting housing need and quality

- 1.5 The overall objective of the manifesto commitment is to deliver 1,000 homes at 50% of market rents or lower, while at the same time delivering the right mix, in terms of the number of bedrooms, to meet housing need in the borough.
- 1.6 Housing need has been assessed based on the current and forecast demand experienced by the Housing Options service.
- 1.7 The types of affordable housing that is more readily delivered through other routes, such as the private sector, has also been taken into account. For example, one bedroom accommodation can be largely delivered through the Let2Barnet service in the private sector and through the acquisition programmes administered by The Barnet Group.
- 1.8 As a result, through the 1000 homes build programme, the council will seek to deliver a mix of accommodation that aspires to meet the space requirements of tenants.
- 1.9 In addition, there is a relatively high level of unmet housing need in the form of wheelchair accessible or adaptable housing. As a result, the council will seek to ensure that at least 10% of the homes delivered will be wheelchair accessible/adaptable with again an objective of more, larger homes.
- 1.10 Through the review of the Housing Strategy the council will also seek to ensure that new homes delivered by partner organisations, such as Registered Providers (Housing Associations) and private developers through s106 responsibilities, also meet this need.

- 1.11 Alongside the requirement for the programme to meet housing need, there is a wider need around quality and type of home. Quality of design and delivery will be covered by employers' requirements and design guides which have been developed using the experienced gained by Barnet Homes and Opendoor Homes in delivering circa 450 good quality new homes.
- 1.12 In addition to individual design standards, place making will be at the heart of the 1000 home programme. For example, building concentrations of single tenure homes will be avoided to ensure we create mixed communities.
- 1.13 Meaningful engagement with residents and key professional stakeholders will be intrinsic to the programme.
- 1.14 With the adoption of co-design principles and good practice in terms of quality and design we will ensure that we deliver homes that we can be truly proud of in the future.

Council / TBG led delivery in the borough

- 1.15 Schemes that are further advanced and are either onsite, or have planning approval, have all been reviewed and where possible, additional grant has been secured to change the rents from Barnet Affordable Rents (65% of market rent) to the GLA London Affordable Rent (low-cost rental housing with rents set by the GLA - [Information on council and affordable housing and renting in London | London City Hall](#)).
- 1.16 There are currently 197 homes for rent at London Affordable Rents (LAR) that are currently onsite or that have planning approval. These include:

Scheme	Delivery model	No. of units at 50% of market rent/LAR	No. of other units	Progress update
Hermitage Lane	Opendoor Homes and Hill Ltd	15	31 private sale 6 shared ownership	Scheme completed 31/10/2022. Additional grant was secured from the GLA to change the tenure of the affordable rent units from Barnet Affordable Rents (65% or market rent) to LAR.
Fosters Estate	LBB/Barnet Homes and Sage	60	82 Shared Ownership 75 Extra Care units (65% of market rent)	Currently onsite and due to complete in 2024

Scheme	Delivery model	No. of units at 50% of market rent/LAR	No. of other units	Progress update
HRA funded programme (Little Strand, Broadfields, The Grange, Coppetts Rd)	HRA funded (supported by grant), Barnet Homes delivery	94	0	Onsite/starting onsite Quarter 4 22/23
Hendon Hub	Pre let model	28	0	Planning secured.

1.17 At least a further 225 homes to be let at London Affordable Rents are due to come forward as part of the council's build to rent programme.

1.18 The remaining circa 600 homes are currently going through business case development, which includes Grahame Park North East.

Challenges in meeting the 1000 homes commitment

1.19 The council is trying to meet the 1000 homes ambition at a time of unprecedented turbulence in the economy. There has been a doubling in financing costs, while we are also experiencing build cost inflation.

1.20 The Building Cost Information Service (BCIS) General Building Cost Index rose by 5.4% in Q2 2022 compared with Q1 2022, and 14% compared with Q2 2021. Costs are due to rise by 16% over the BCIS forecast period (Q2 2022 –Q2 2027). The contributing factors to this are Brexit, high demand for materials with limited supply, Covid-19, increasing energy costs, labour cost inflation and the current developer/contractor market (including increasing levels of insolvency in the contractor/sub-contractor market, reduced appetite to tender, difficulty in delivering true fixed cost design and build contracts). This is impacting both the viability and deliverability of new homes.

1.21 Scheme viability is also impacted by the council's intention to achieve Net Zero.

1.22 As a result of increasing costs and inflation the capacity to deliver new homes funded from within the Housing Revenue Account (HRA) has reduced. At present the HRA has capacity to fund around 330 homes (some of these are accounted for in the table in 1.16 above). It is estimated that there is a funding gap of circa £170m to deliver the remaining 600 homes.

1.23 Despite this, the council remains fully committed to delivering 1000 homes at 50% of market rent, and is employing creative solutions including:

- Securing additional grant to enable to the rents on homes being delivered to be changed from Barnet Affordable Rents to London Affordable Rents/Social rents.
- Employing a range of entrepreneurial cost mitigating solutions. This includes the opportunity to deliver homes through partnerships or joint ventures with contractors, developers and/or Registered Providers.
- Commissioning external review to ensure that all potential funding and delivery routes have been explored.

Other affordable housing delivery in the borough

1.24 Delivering 1000 homes at 50% of market rent or lower is just one way in which affordable housing is delivered in the borough. A mix of affordable housing tenures are also coming forward as part of the estate regeneration schemes and through private developments. The table sets out the anticipated number of affordable homes coming forward between April 22 and March 2026.

	Social rent	LAR	Affordable rent (65-80%)	Intermediate
Estate Regeneration	169	28	46	361
Brent Cross	123			119
Opendoor Homes			81	
LBB Extra Care schemes			126	
Private development (S106 provision/ homes delivered by Registered Providers)		382	407	1484
TOTAL	292	410	660	1964

2. Reasons for recommendations

2.1 There are increasing challenges in securing suitable homes for those who are most in need, and the cost-of-living pressures faced by residents have increased housing need. Housing costs continue to rise fast relative to both local median incomes and Local Housing Allowance (LHA) rates which results in a continued affordability gap. LHA rates are determined by the Valuation Office Agency. They are limited by legislation and based on private market rents being paid by tenants in the board rental market area (BRMA); the area within which a person might reasonably be expected to live. LHA rates are used to calculate the maximum amount people renting from a private landlord can claim in Housing Benefit or Universal Credit¹.

¹ ([Local Housing Allowance - GOV.UK \(www.gov.uk\)](http://www.gov.uk))

- 2.2 In recognition of this, in May 2022, the council's new administration declared the commitment to deliver 1000 homes at 50% of market rent or lower.
- 2.3 The turbulent economic climate has made scheme viability and deliverability more challenging. The Housing Revenue Account (HRA) business plan currently has total provision to support the development of around 330 homes (some of these are accounted for in paragraph 1.16 above). Increasing cost and revenue pressures on the Housing Revenue Account has meant that there is limited capacity to deliver additional homes through this route.
- 2.4 The council has been successful in securing GLA Homes for Londoners funding and One Public Estate Brownfield Land Release funding to support scheme. However, the level of grant available does not in itself ensure scheme viability.

3. Alternative options considered and not recommended

- 3.1 Do nothing is an alternative option however this is not recommended as it would not meet the council's commitment to deliver 1000 homes at 50% of market rents or lower or help meet housing need in the borough.

4. Post decision implementation

- 4.1 Officers within the council and Barnet Homes will continue to progress the design of schemes and bring forward business cases to Committee.
- 4.2 As reported to Housing and Growth Committee on 16th November 2022 the delivery and procurement strategy for Grahame Park North East will be submitted to Housing and Growth Committee in March 23.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 Delivering more affordable homes in the borough is a priority of the council, as set out in the Housing Strategy and the Growth Strategy. Since May 2022, this has become a council priority and work is underway to convert current delivery plans to ensure they contribute to starting on site with 1,000 affordable social rent homes over the next 4 years.
- 5.1.2 The Health and Wellbeing Strategy 2021 to 2025 recognises that the condition of and access to local housing has an important role in the quality of life and health of both individuals and communities.
- 5.1.3 A new Corporate Plan is in development, with an approach being built around a council that cares for people, our places, and the planet, as discussed at the Policy and Resources Committee meeting on 29 September 2022. Under the People priority, it aims to be family friendly, tackle inequality, and support health and independence. Under the Place priority, it aims to ensure safe, attractive neighbourhoods, quality homes, sustainable growth, and thriving town centres and make Barnet a fun place to visit. Under the Planet priority, it aims to focus on the council's journey to net zero, local environment,

and green spaces.

5.1.4 A new Housing Strategy is also being prepared. On 25th October 2022, Housing and Growth Committee agreed the emerging themes of the strategy:

- Prevent homelessness and support rough sleepers off the streets.
- Deliver the right homes in the right places
- Ensure safe, sustainable council housing
- Raise quality and standards in the private rented sector
- Support living well by promoting healthy homes and well-being.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 It is anticipated that costs of circa £20million would be needed to take forward schemes for the additional 600 homes to planning stage. Of this, approximately £9.9m is already accounted for in the HRA business plan.

5.2.2 As set out in paragraph 1.22 and 2.3 above, the HRA currently only has capacity to build approximately 330 homes, therefore alternative delivery and funding approaches are required for the remaining costs of taking schemes to planning and on to delivery. Officers would be required to present potential capital bids at Capital Strategy Board and obtain Policy & Resources Committee approval where no funding stream is currently available.

5.3 Legal and Constitutional References

5.3.1 The council's Constitution Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing and Growth Committee and includes:

- Responsibility for housing matters including strategy, homelessness, social housing and housing grants, private sector housing, regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement and town centres.
- To receive reports on relevant performance information and risk on the services, under the remit of the Committee.

5.4 Insight

5.4.1 N/A

5.5 Social Value

5.5.1 In procuring works and services, the council must take into account the requirements of the Public Services (Social Value) Act 2012 to consider how what is to be procured might improve the social, economic and environmental well-being of the relevant area and how,

in conducting the process of procurement, it might act to secure such improvement.

5.5.2 Social value will be a core part of any procurement in relation to the delivery of the 1000 homes commitment.

5.6 Risk Management

5.6.1 The table below sets out the main risks in relation to the delivery of the 1000 homes.

Risk description	Mitigation
Where planning permission is not secured for a scheme there is the risk the scheme may deliver fewer homes than anticipated.	Early engagement with the Local Planning Authority will be undertaken on schemes. Meaningful engagement with residents will be undertaken on schemes throughout the design process. Each scheme will develop an Engagement Strategy and as much as possible this will follow a co-design approach.
If schemes are taken forward to planning but it is not possible to find a viable delivery model, there will be abortive design costs and a loss of homes.	Viability and deliverability will be tested throughout the design process, and where appropriate early contractor engagement will be undertaken to inform this. In the event that a scheme is still unviable, the land will benefit from development uplift where planning permission has been secured.

5.7 Equalities and Diversity

5.7.1 The Equality Act, 2010 (“the Act”) outlines the provisions of the Public Sector Equality Duty which requires Public Bodies, in the exercise of their functions, have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.7.2 The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

5.7.3 The emerging Corporate Plan and the Growth Strategy are intended to benefit all communities and groups who live, work and visit the borough, including those with protected characteristics.

5.7.4 Where individual decisions are required in relation to schemes that will contribute to the

1000 homes commitment, these will be considered on a case-by-case basis to ensure no group is disadvantaged or left behind. As required, officers will undertake Equalities Impact Assessments (EQIA) to fully appraise the impacts associated with any proposed course of action in line with the legislation and to take into account the same so far as lawfully required.

5.8 Corporate Parenting

5.8.1 In line with the Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in all relevant decision-making. Promoting independence is a priority of the council. Barnet Homes work closely with relevant council departments to ensure that care leavers make a successful transition to independent living.

5.9 Consultation and Engagement

5.9.1 A strong commitment to community engagement, co-design and empowerment is fundamental to the council's approach. Local stakeholder engagement remains a key part of project development and engagement plans will be prepared for all schemes that contribute to the 1000 homes commitment. Any new schemes brought forward will be subject to consultation where the council considers it appropriate, in addition to where it is legally required.

5.10 Environmental Impact

5.10.1 The aspiration of Barnet's Sustainability Strategy is to build new social housing to a minimum EPC of 'B' adopting sustainable methods. All new build commissions are planned for net zero carbon emissions by 2025, with this achieved by 2030.

5.10.2 The Sustainability Strategy identifies that 58% of emissions within Barnet come from stationary energy sources, namely buildings, two-thirds of which relate to residential buildings. With an average EPC rating of 'D', the retrofitting of the existing housing stock will be the key challenge in the borough.

5.10.3 Sustainable development for new housing in Barnet is guided by the National Planning Policy Framework (NPPF) and the new London Plan 2021, alongside the Councils existing Local Plan and emerging draft Local Plan.

5.10.4 These principles and policies are further supported by building regulations that collectively set the ground rules for energy efficiency.

6. Background papers

6.1 29 September 2022, Policy and Resources Committee, Progress on the Implementation of Administration Priorities, Item 7, [Agenda for Policy and Resources Committee on Thursday 29th September, 2022, 7.00 pm \(moderngov.co.uk\)](https://www.moderngov.co.uk/2022/09/29/agenda-for-policy-and-resources-committee-on-thursday-29th-september-2022-7-00-pm)

- 6.2 25 October 2022, Housing and Growth Committee, Housing Strategy and Homelessness and Rough Sleeping Strategy, Item 12 [Agenda for Housing and Growth Committee on Tuesday 25th October, 2022, 7.00 pm \(moderngov.co.uk\)](#)
- 6.3 16 November 2022, Housing and Growth Committee, Outline Business Case for the Regeneration of Grahame Park North East, Item 15, [Agenda for Housing and Growth Committee on Wednesday 16th November, 2022, 7.00 pm \(moderngov.co.uk\)](#)

	Housing and Growth Committee 17 January 2023
Title	Annual Review of Council Dwelling Rents and Service Charges and Temporary Accommodation Rents for 2023/24
Report of	Chair of the Housing and Growth Committee
Wards	All
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix 1 – Annual Review of Council Dwelling Rents and Service Charges and TA Rents Equality Impact Assessment
Officer Contact Details	Laura Giles, Head of Strategy and Compliance, Barnet Homes, laura.giles@barnethomes.org Elliott Sweetman, Group Director of Operations and Property, Barnet Homes, elliott.sweetman@barnethomes.org

Summary

The report seeks approval of proposed changes to council dwelling rents and service charges, including temporary accommodation rents, to take effect from 1 April 2023.

Officers Recommendations

1. The committee notes and agrees for recommendation to the Policy and Resources Committee, and to be noted by Full Council:
 - The proposed rent increase in line with government policy for existing council tenants, as set out in paragraph 1.9 for social rent dwellings and 1.11 for Affordable Rent dwellings;
 - The proposed rent increase for temporary accommodation, as set out in paragraph 1.13; and
 - The proposed service charges and garage rents as set out in paragraph 1.18;
 all to take effect from 1 April 2023.

1. Why this report is needed

- 1.1 The council is required to set council dwelling rents and associated service charges for council tenants on an annual basis. These are set out in a formal rent notice issued to all tenants before the start of the financial year.
- 1.2 The Local Government and Housing Act 1989 requires the Housing Revenue Account (HRA) to be maintained as a ring-fenced account and prescribes the debits and credits to be applied to it. The principal items of expenditure within the HRA are management and maintenance costs, together with charges for capital expenditure (depreciation and interest). This is substantially met by rent and service charge income from dwellings, garages, and commercial premises.

Background

- 1.3 Following the implementation of a rent policy which saw social housing rents reduced by 1% a year for five years, from 1 April 2020 the then Department for Communities and Local Government introduced a new five-year rent setting regime that allowed social housing rents to be increased by up to CPI (taken as of September of the previous year) +1%. The purpose of this announcement was to give councils and other social housing providers some certainty and security to plan investment in existing stock and the building of new social housing. For the year 2022/23, the council increased rents by CPI+1%, which was +4.1%.
- 1.4 In 2019 when the Government sent the new Direction on the Rent Standard from April 2020, inflation was forecast to be around 2% in 2022 and 2023; however, CPI was 10.1% in September 2022. Under the Rent Policy Statement, this would permit social housing rent increases from 1 April 2023 to 31 March 2024 of up to 11.1%. This much higher than expected rate of inflation would place considerable pressure on many households, including those living in social housing, at a time when general cost of living pressures are acute.
- 1.5 The Secretary of State for Levelling Up, Housing, and Communities recently consulted on making a temporary amendment to the rent policy for 2023/24 to provide a backstop of protection for social housing tenants from significant nominal-terms rent increases. The council submitted a response to the consultation. Following a review of all the responses, on 17 November 2022 the Chancellor announced in his Autumn Statement a 7% ceiling to social housing rent increases from 1 April 2023.
- 1.6 Temporary accommodation is let at Local Housing Allowance (LHA) rates. From 1 April 2020, following a freeze between 2016 and 2020, LHA was increased to equal the 30th percentile of rents in each local area. The Office for Budget Responsibility's Economic and Fiscal Outlook of November 2020 confirmed LHA rates will be frozen in cash terms from 2021/22 onwards.
- 1.7 All newly let Barnet temporary accommodation properties are let at the applicable LHA rate. Where temporary accommodation was already occupied prior to April 2021, the rents are charged at the LHA rate that was applicable at the time of the letting, as adjusted by any subsequent approved rent increases which were capped at the then-current LHA rate. In 2022/23, the council increased those temporary accommodation rents that were not then at LHA rates by the same formula as the council dwellings; this was CPI+1% or 4.1%.

1.8 The rent and service charges review comes at a time when there are multiple and growing pressures on cost of living which are generally understood to have a disproportionate impact on those who are already financially disadvantaged. The aim of the review is to ensure that essential income is maintained to minimise the impact on the General Fund and allow the HRA to continue essential investment in safety, property condition, and development of new social housing that benefits both existing tenants and those who are in housing need. To facilitate this, increases to rents and service charges are proposed, with the recognition that this will have a high impact on many households, and it is therefore vital that support is in place for those who need it. The direct impact on a high proportion of tenants is mitigated by receipt of full or partial Housing Benefit or the housing element of Universal Credit; however, this paper includes information about the various services and financial and other types of support that are available to tenants who may be experiencing difficulties paying their rent or service charges.

Barnet Council social housing rent proposals for 2023/24

1.9 It is proposed that from 1 April 2023 the council increases social housing rents by the national cap of 7% for existing tenants. All new tenancies will be let at target rent, which can continue to be set at CPI+1%; this is recommended for new tenancies, which are subject to affordability assessments prior to letting. The table below shows examples of how the weekly average and formula rents would change in 2023/24.

Scenario	2022/23	2023/24 increase applied
Average current rent (for existing tenants) ^{1, 2}	£118.75	£127.05
Average formula rent (for new tenant on re-let) ^{1, 2}	£120.88	£134.30

1.10 The majority of social housing dwellings within the HRA are charged at a social rent; however, there is also a small proportion (2.5%, or 226) of newly developed properties that are charged an Affordable Rent level, meaning they cannot exceed 80% of the equivalent market rent, inclusive of service charges. New homes being delivered on the council's land will be subject to rents set at 50% of average private sector market rent levels or lower in accordance with the Administration's commitment to providing more low-cost rented social housing (or, where the council could not afford to build new homes if rents were limited to 50%, will be subject to rents set at Affordable Rent levels of 65% of average private sector market rent levels or the Local Housing Allowance (LHA), whichever is lower as per the previous year), or they will be set at an alternative rent level such as London Affordable Rent if Greater London Authority (GLA) conditions dictate this. This ensures these properties generate sufficient revenue to offset their ongoing associated costs without a wider impact on the HRA.

1.11 It is proposed that for existing households, the council increase Affordable Rents by 7% from 1 April 2023. The table below shows examples of how weekly average Affordable Rents would change in 2023/24 upon the application of the 7% increase.

¹ All charges in this table are shown on a 52-weeks basis and show an average of the rents charged across the stock. Note that Barnet charges on a 48-week basis with 4 rent-free weeks; the increase as illustrated has been calculated by 52 weeks in line with the Rent Standard. Based on 48 weeks, the average rent for existing tenants will therefore be £137.64 per week, with 4 weeks rent-free.

² Existing tenant rents increased by 7%; formula rents for re-lets increased by 11.1% (CPI + 1%).

Scenario	2022/23	2023/24 with 7% increase applied
Average Affordable Rent ¹	£229.12	£245.16

Barnet Council temporary accommodation rent proposals for 2023/24

- 1.12 As of 8 December 2022, there are 1,304 households subject to temporary accommodation rents, for which 708 properties are currently set at full LHA rates, and the remaining 530 are let below LHA rates.
- 1.13 It is proposed that those temporary accommodation rents for 2023/24 that are charged less than current LHA rates are increased in line with the rent increase proposal for council dwellings of 7%, up to a maximum of the applicable LHA level.
- 1.14 For those properties currently being charged below LHA rates, the proposed increase would result in an average rent increase of £15.68 per week from £316.46 to £322.14. Due to the LHA cap, the average rent increase applied would be 5.07%. Following the rent increase, 164 properties' rent would remain below the April 2020 LHA rate. The average increases have been broken down by broad rental market area below:

Scenario	Broad Market Rental Area: +7%		
	Outer and North-West London	Inner London	Out of London
Number of rents increased	419	85	26
Average weekly rent increase	£16.02	£16.18	£6.92
Average % increase	5.43%	3.88%	3.38%

Service charges and garage rents

- 1.15 Service charges usually reflect additional services that may not be provided to every tenant, or that may relate to communal facilities. For properties let at social rents, service charges are subject to separate legal requirements and are limited to covering the cost of providing the services. For Affordable Rent properties, the rent is inclusive of service charges.
- 1.16 Approximately 3,500 leasehold properties are also affected by service charges; these properties are a mix of owner-occupiers or second / portfolio properties that are let privately. Where service charges do not currently recover the costs of providing services or utilities, the service charges for these properties are being subsidised by social housing rental income that could otherwise fund investment in safety measures, property condition, and new social housing.
- 1.17 Inflation has a significant impact on the costs of providing services to council properties, and it is likely the proposed service charge increases will place additional financial pressure upon many households. Whilst some of the impact of this will be mitigated as many service charges are covered by Housing Benefit or the housing element of Universal Credit, and over two thirds of council tenants are in receipt of either full or partial Housing Benefit or Universal Credit, nearly a third will not receive this support and additionally the proposed increases to heating and hot water charges and alarm services charges are not covered. It is therefore essential that adequate support is in place and targeted to help those who may experience difficulty

paying their service charges or experience significant pressure due to the overall cost of living crisis. Section 5.6 of this report includes information about the support that is available.

- 1.18 Service charges and garage rents have been reviewed to ensure costs can be fully recovered or better recovered. The most significant impact is in energy costs, for which households paying service charges have largely been protected from significant cost increases that have affected other households. It is recommended that service charges are not kept artificially low, as this is detrimental to the council's ability to recover its costs, provide essential services, and invest in existing properties and new social housing. Rather than subsidise those who may not need additional support, it is recommended that the council aim to maximise the recovery of costs while ensuring support is in place for those who may need it. It is proposed that service charges are increased from 1 April 2023 to reflect the increased costs of providing the services, as outlined in the table below.

Service ³	2022/23	2023/24	£ Increase	% Increase
Covered by Housing Benefit / UC				
Caretaking (quarterly)	£1.45	£1.59	£0.14	9%
Caretaking (weekly)	£6.49	£7.07	£0.58	9%
Digital TV	£1.76	£1.83	£0.07	4.4%
Door entry systems	£2.67	£2.79	£0.12	4.4%
Enhanced housing management (sheltered housing)	£23.72	£26.09	£2.37	10%
Fire safety equipment	1 Bed £4.26 2 Beds £5.00 3 Beds £5.55	1 Bed £4.77 2 Beds £5.60 3 Beds £6.82	1 Bed £0.51 2 Beds £0.60 3 Beds £1.27	12%
Grounds Maintenance	£3.17	£3.49	£0.32	10%
Lighting	£1.52	£3.04	£1.52	100%
Not covered by Housing Benefit / UC				
Alarm services (sheltered housing)	£3.22	£3.54	£0.32	10%
Garage rents	7% increase applied to existing rent			
Heating and hot water (Grahame Park)	1 Bed £13.28 2 Beds £18.40 3 Beds £19.87	1 Bed £33.81 2 Beds £46.84 3 Beds £50.59	1 Bed £20.53 2 Beds £28.44 3 Beds £30.72	254.6%
Heating and hot water (excluding Grahame Park)	254.6% increase applied to existing variable charges			

³ All charges in this table are shown on a 48-weeks basis and are rounded to the nearest penny.

- 1.19 **Alarm services (sheltered housing)** – Costs have been reviewed and consist predominantly of labour costs and incidental costs. Pay increases⁴ in the current financial year were nearly 5% higher than budgets; this shortfall plus a budgeted 5% pay increase in 2023/24 means that a 9% increase is proposed.
- 1.20 **Caretaking** – Costs have been reviewed and consist predominantly of labour costs and incidental costs. Pay increases⁴ in the current financial year were nearly 5% higher than budgets; this shortfall plus a budgeted 5% pay increase in 2023/24 means that a 9% increase is proposed.
- 1.21 **Digital TV and door entry systems** – The Royal Institute of Chartered Surveyors' (RICS) Building Cost Information Service (BCIS) guidance provides guidance on the cost of rebuilding houses and flats and is commonly used across the housing sector used to facilitate accurate cost planning. It is the nearest and most reliable reference to trade costs in the round, and can reasonably be applied to servicing and repair works to installations such as digital TV and door entry systems. The BCIS guidance indicates a 4.4% inflationary adjustment; the proposed 4.4% increase to service charges therefore reflects this.
- 1.22 **Enhanced housing management (sheltered housing)** – Costs have been reviewed and consist predominantly of labour costs and incidental costs. Pay increases⁴ in the current financial year were nearly 5% higher than budgets; this shortfall plus a budgeted 5% pay increase in 2023/24 means that a 9% increase is proposed.
- 1.23 **Fire safety** – Tender returns for these contracts that were received in 2022 were extremely wide-ranging, reflecting the current volatile market, and following tender analysis it was decided to retender for these servicing and inspection works. Barnet Homes' cost consultants expect revised tender returns to be c.12% higher and this increase should be applied to service charges for 2023/24. For future years, we will be better informed based on the new contract being in place for 12 months. Service charges for any new installations will be charged in line with successful tender. It should be noted that no increase in tenants' service charges was applied in 2021/22, the year following the first installations of the fire safety equipment.
- 1.24 **Garage rents** – The rental costs of garages are proposed to increase by 7% in line with the council dwellings rent increase proposal. Costs associated with managing the garages are largely related to labour, in addition to materials and costs associated with maintaining property condition. Barnet Council has 1,200 garages of which 557 are occupied, and which are let at an average weekly rent of £17.30.
- 1.25 **Grounds maintenance** – These costs relate to labour, materials, and fuel and fleet expenses. Pay increases⁴ in the current financial year were nearly 5% higher than budgets; this shortfall plus a budgeted 5% pay increase in 2023/24 along with significantly increases in fuel and fleet costs means that a 10% increase is proposed.
- 1.26 **Heating and hot water (Grahame Park) and heating and hot water (excluding Grahame Park)** – Due to the significant uncertainty regarding energy prices in November 2021 when service charge adjustments were last proposed, only a 3.5%

⁴ Pay increases relate to Barnet Homes employees, many of whom were TUPE transferred from Barnet Council and so retain council Terms and Conditions. Pay increases therefore are as per nationally negotiated Greater London Provincial Council rates.

increase was applied for the year April 2022 to March 2023. Actual cost to the council has increased by 207%, meaning that the council, via the HRA, is subsidising those residents living on Grahame Park, and those in other properties who have heating and hot water charges, by more than £1m in 2022/23. The energy price cap in April 2021 was £1,138 per home; this will be £3,000 (with government support) from April 2023, meaning a 263.6% increase in the last 2 years, and this is what all other social housing tenants will have been subject to over the period.

The provision of heating and hot water at Grahame Park is considered to be a commercial supply, and therefore is not subject to the price cap. These costs are forecast to increase by another 200% in 2023/24. Whilst it will mean the council will not be able to fully recover the costs incurred, it is recommended that the properties are treated as if they were subject to the consumer price cap, and therefore it is proposed to increase these service charges in line with the recent two-year increase, adjusted by the 3.5% increase that was applied in 2022/23. This means a proposed 254.6% increase. If actual costs are lower than the estimated charges, the service charges could be reviewed and adjusted during the year with committee approval.

Without increases of this scale, the cost pressure on the HRA will be in excess of £2.5m and will mean a limited number of households are receiving support that nearly 8,500 other council households, in addition to private tenants and owner-occupiers in the borough, are not able to access. For many tenants, other service charge increases they may be affected by will be covered by Housing Benefit or the housing element of Universal Credit. If tenants find it more difficult to pay their rent and/or service charges there is support available from Barnet Homes and the council, as set out in paragraphs 2.8 and 5.6 of this paper.

- 1.27 **Lighting** - Barnet Homes' electricity rates have been fixed until May 2023. No certainty on pricing can be achieved but we do know prices will be substantially higher than they are currently, and therefore it is recommended an increase of 100% is applied. Whilst significant, this would be at a similar rate to that which other social housing households will have been subject to.
- 1.28 Improvement works and new technologies are being implemented that may have a positive impact on the costs incurred by residents; however, it should be noted may be more likely to offset the present level of subsidy the council is providing on service charges. Barnet Homes has been delivering an Electrical Rising Mains programme since 2012 which is now nearing completion, with the final blocks to be completed in 2023/24; this has incorporated lighting sensors at all locations. On completion, this will affect over 900 blocks and their communal areas.
- 1.29 In February 2023, Barnet Homes also expects to be notified of its success or otherwise in gaining grant funding from the Social Housing Decarbonisation Fund (Wave 2 bid). Barnet Homes' sustainability budget is primarily intended to match this funding, and works completed will be 'fabric first' including insulation to internals and externals. Barnet Homes plans to pilot some different approaches using the remainder of this budget in 2023/24 and 2024/25, which may include solar panels / photovoltaics and heat pumps.

2. Reasons for recommendations

- 2.1 The proposed rent changes for council dwellings are in line with government policy, the council's Housing Strategy 2019 to 2024, and the HRA's 30-year Business Plan assumptions, and will assist Barnet Council to generate sufficient income to carry out needed essential investment works in properties, such as those relating to fire safety, and to plan and support the delivery of further affordable homes in the borough through the maintenance of a viable HRA. The service charges have been reviewed to ensure the revenue raised covers, or is closer to covering, the estimated cost of providing these services.
- 2.2 The maximum permissible rent increase under the Government's policy is recommended to support the aims of the Housing Strategy to deliver more homes that people can afford, promote independence, tackle homelessness and rough sleeping in Barnet, and provide safe and secure homes by investing in planned improvements, day-to-day repairs, dealing with damp and mould issues, and fire safety measures. This will directly benefit all council tenants as the rental income for council homes is ring-fenced to the HRA, ensuring it is used for no other purpose. The proposed approach will also optimise the council's and Barnet Homes' ability to deliver the HRA Business Plan and implement the objectives and outcomes of the council's Local Plan, Corporate Plan, Homelessness and Rough Sleeping Strategy, and Joint Health and Wellbeing Strategy.
- 2.3 The amended HRA Business Plan in November 2022 advised the committee that the council's response to the rent cap consultation was for a 7% cap and then no further cap, and the revised Business Plan was modelled on the assumption that the Government would proceed with the 5% cap for two years from 2023/24 that was originally proposed in its consultation. Whilst a 7% increase is higher than planned, additional cost pressures continue to be identified, such as damp and mould costs, which means the additional income will ensure no undue financial pressure on the General Fund. Income from council rents will help to secure the delivery of new affordable homes built or acquired through the HRA, which will help to reduce costs to the General Fund by providing an alternative to short-term temporary accommodation. The delivery of extra care housing and wheelchair-adapted homes will also help the council to meet savings targets for social care budgets by providing a more affordable alternative to residential care whilst also delivering a better outcome for vulnerable residents.
- 2.4 The council has made fire safety a top priority for its investment programme and has committed to going beyond its statutory obligations to meet best practice in fire safety measures. The introduction of the Fire Safety Act 2021 and the Building Safety Bill are also expected to bring additional requirements for other enhanced aspects of building and fire safety, and ongoing management of the council's housing stock. £52m has already been spent on an investment programme that is in part dependent upon additional income through annual rent increases, and there are further approved plans to invest £26m capital in medium- and low-rise buildings and c.£850k revenue annually in the Building a Safer Future programme.
- 2.5 Other activities to be supported through the HRA Business Plan include investment in existing homes to ensure the Decent Homes Standard continues to be met and environmental targets are met including achieving EPC C targets by 2030 and the Government's Clean Growth Strategy. The investment programme also includes provision for environmental works in shared and communal spaces, as well as

contributing towards achieving carbon neutrality across the stock by 2050 which is estimated to cost in excess of £150m.

- 2.6 The proposed increase of 7% to temporary accommodation rents that are currently charged below LHA will generate an additional £432k for the General Fund in 2023/24, which will support the provision of temporary accommodation and homelessness services at a time when there is a shortage of social housing and temporary accommodation within the borough.
- 2.7 The proposed rent and service charge increases coincide with an ongoing rise in living costs that is expected to affect tenants, particularly those who are already experiencing socio-economic disadvantage, and particularly those tenants living in larger properties which will be more greatly impacted by the proposed rent increase due to the higher rent charges for those properties. The direct impact on tenants will be mitigated in part due to the majority of council tenants (69.8%) and tenants living in temporary accommodation (81.6%) being in receipt of either full or partial Housing Benefit or the housing element of Universal Credit; the majority of service charges are also covered by Housing Benefit or Universal Credit.
- 2.8 If tenants do find it more difficult to pay their rent and/or service charges, a range of services are provided to support them to maximise their income, sustain their tenancies, and manage more generally with the rising cost of living. These include support with benefit entitlement and income maximisation, access to financial support including Discretionary Housing Payments, Council Tax support, the Resident Support Fund, the Major's Benevolent Fund, and DWP budgeting loan, and support services providing practical assistance to help people maintain their tenancies and with training and employment. Households are also expected to experience benefits from the continued impact of £80k in funding support from the Homelessness Prevention Grant and Household Support Fund which currently must be spent by March 2023. Preventative measures to increase tenancy sustainment are deployed to ensure that the need for tenancy enforcement measures remains very low, and a tailored approach is delivered by Barnet Homes to ensure individual needs are met. The support available is covered in more detail in section 5.6 of this paper.

3. Alternative options considered and not recommended

- 3.1 Alternative options considered include not raising the rent levels and/or service charges or raising them by a lower amount than has been proposed in this paper. However, these are not recommended as the proposed rent changes are in line with government policy, and any lower increase would create financial pressure on the HRA that could lead to its reduced viability and potentially have a detrimental impact on services or condition of homes and/or a reduced capacity to fund the delivery of additional homes.
- 3.2 Were a lower increase than 7% applied to the council rents, this would impact upon the HRA Business Plan as illustrated below; were any properties to be re-let in that period, the impact would be reduced as any rents currently charged below formula rent would be adjusted upon re-let.

Alternative Option	2023/24 HRA Impact £000	30-Year Cumulative HRA Impact £000
No rent increase	-£3,579	-£143,041
+3% rent increase	-£2,050	-£81,898
+5% rent increase	-£1,027	-£41,013

- 3.3 Similarly, if temporary accommodation rents that are currently below the LHA level were not increased and the properties continue to be occupied by the same households, this would reduce General Fund revenues by c.£432k in 2023/24, an increase of 3% only would reduce General Fund revenues by c.£196k in 2023/24, and an increase of 5% only would reduce General Fund revenues by c.£70k in 2023/24.
- 3.4 The proposed service charge changes are to ensure that costs are recovered, and any alternative would result in an inability to recover the full cost of providing essential services to tenants.

4. Post decision implementation

- 4.1 As per the council's Constitution, changes to fees and charges approved by theme committees are submitted to the Policy and Resources Committee to make a recommendation to Full Council for approval as part of the budget. Full Council will be asked to note the proposed changes as part of this process.
- 4.2 Statutory notices of rent increases must be sent to tenants a month in advance of them coming into effect, and these will be sent out after the Full Council meeting in February 2023, assuming that this committee and the Policy and Resources Committee approve the rent and service charges.
- 4.3 Following approval at Full Council in February, the council will instruct Barnet Homes, the council's Arm's-Length Management Organisation, to issue a statutory notice of variation to council tenants a month in advance of the rent increase being applied.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 Reviews of rent levels and service charges help ensure resources are in place to deliver housing services to council tenants, homelessness and temporary accommodation services to those who are in need, and new supply to meet growing demand for affordable housing. There are strong links to the below corporate priorities.
- 5.1.2 The council is developing a new Corporate Plan that is centred around being a council that cares for people, its places, and the planet. Under the People priority, it aims to be family friendly, tackle inequality, and support health and independence. Under the Place priority, it aims to ensure safe, attractive neighbourhoods, sustainable growth, and thriving town centres and a fun place to visit.
- 5.1.3 The Housing Strategy 2019 to 2024 sets out how the council and its partners will improve the quality of housing available and deliver the additional housing that is

required in the borough due to the growing population. The strategy details delivering more housing that people can afford, including the use of Affordable Rents to provide more homes for rent on council land. A new housing strategy is currently in development, and will focus on similar core aims. Income from rents will also be used to maintain the condition of the existing housing stock.

- 5.1.4 The Health and Wellbeing Strategy 2021 to 2025 recognises that the condition of and access to local housing has an important role in the quality of life and health of both individuals and communities.
 - 5.1.5 The Growth Strategy 2020 to 2030 includes priorities to increase the supply of housing, deliver more homes that people can afford, deliver homes on public sector land, and support our growing older population.
 - 5.1.6 Barnet's Joint Strategic Needs Assessment highlights the fact that there is a long-term shift in housing tenure towards renting and away from owner occupancy (either outright or with a mortgage), reflecting a sustained reduction in housing affordability and an imbalance between housing demand and supply.
- 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.2.1 Barnet Homes will administer the rents and service charges for council tenants and the rents for tenants living in temporary accommodation.
 - 5.2.2 Income raised from the service charges will be used to recover the costs of providing the services within the HRA. Income from dwelling rents is a key driver of the total income available to the HRA, making up 86% of total income budget in 2022/23.
 - 5.2.3 Existing council rents are on average 27.5% of private sector rents, so charging Affordable Rents at 65% of average private sector rents for new council homes delivered on its own land (for any schemes in which the council could not afford to build the homes if the rents were limited to 50% or lower in line with the Administration's commitment to building more low-cost affordable social housing) will raise additional income for the Housing Revenue Account that will contribute to the HRA Business Plan.
 - 5.2.4 If the council were to increase rents only by 5% and not the additional permissible 2%, this would reduce HRA revenues by £41,013,237 over the 30-year Business Plan. This would mean an additional £44m of borrowings and associated interest costs would be required to deliver the major works programme, environmental works, and de-carbonisation works planned within the Business Plan and partly reliant on the additional income.
 - 5.2.5 Income from council rents will help to secure the delivery of new affordable homes built or acquired through the HRA, which will help to reduce costs to the General Fund by providing an alternative to short-term temporary accommodation. The delivery of extra care housing and wheelchair-adapted homes will help the council to meet savings targets for social care budgets by providing a more affordable alternative to residential care as well as delivering a better outcome for vulnerable residents.

- 5.2.6 Additional income of c.£432k in 2023/24 from temporary accommodation rents will help to secure the delivery of temporary accommodation and homelessness services through the General Fund. This income will come in a period during which demand for services is expected to increase significantly as a result of COVID-19-related factors such as the end of the evictions ban.
- 5.2.7 The temporary accommodation subsidy cap means that properties that are let at rents above this, up to the LHA level, will result in a temporary accommodation subsidy loss. The proposed temporary accommodation rent increase will result in a greater subsidy loss; however, this will be offset by increased revenue for temporary accommodation and the Flexible Homelessness Support Grant (FHSG). In 2021/22, the total subsidy loss was £2,988,983 with receipt of £5,666,770 in FHSG to offset this.

5.2 Legal and Constitutional References

- 5.3.1 The Localism Act 2011 introduced self-funding for council housing. The national subsidy system has been abolished and a new funding regime introduced giving local authorities more autonomy to set council rents.
- 5.3.2 Under section 24 of the Housing Act 1985, a local housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses. They shall from time-to-time review rents and make such changes, either of rents generally or of particular rents, as circumstances may require.
- 5.3.3 Under section 13 of the Housing Act 1988, for the purpose of securing an increase in the rent under an assured or assured shorthold tenancy, the landlord may serve on the tenant a notice in the prescribed form proposing a new rent to take effect at the beginning of a new period of the tenancy specified in the notice.
- 5.3.4 Under section 103 of the Housing Act 1985, the terms of a secure tenancy which is a periodic tenancy may be varied by the landlord by a notice of variation served on the tenant. The landlord authority is required to serve a preliminary notice on a secure tenant giving them advance notification of any change proposed to be made to the terms of their tenancy and inviting their comments. The landlord authority shall consider any comments made by the tenant within a specified time. A preliminary notice is not, however, required for variation of rent or payments in respect of services or facilities provided by the landlord; however, a notice of variation must be provided, and must set out what the change is and the date on which it takes effect. The period between the date on which the notice is served and the date on which it takes effect must be at least four weeks or the rental period, whichever is the longer.
- 5.3.5 Section 105 of the Housing Act 1985 requires a landlord authority to maintain such arrangements as it considers appropriate to enable those secure tenants who are likely to be substantially affected by matters of housing management to be informed and consulted about the proposals, and before deciding on the matter, the landlord authority must consider any representations made. The legislation sets out the matters of housing management this relates to; however, this does not extend to the rent payable under a secure tenancy or to charges for services.

- 5.3.6 The Local Government and Housing Act 1989 requires the council to prevent a debit balance within the Housing Revenue Account, and to act reasonably in making assumptions and estimates and to act prudently.
- 5.3.7 Under section 23 of the Welfare Reform and Work Act 2016, registered providers of social housing were obliged to reduce social rent by at least 1% from the rent payable by the tenant in the preceding 12 months for the years beginning 1st April 2016 to 1st April 2019. In October 2017, the then-Ministry of Housing, Communities, and Local Government (now the DLUHC) announced its intention to set a long-term rent deal for local authorities and housing associations. This permitted annual rent increases of up to (the preceding September's) CPI + 1% from 2020 for a period of up to 5 years. Registered providers must set rents from 1 April 2022 in accordance with the DLUHC's Direction on the Rent Standard and Rent Policy Statement. In making reasonable charges officers have given consideration to the Government's policy aims of introducing social housing rents that will ultimately produce rents being set on a nationally determined basis, whilst taking into account local factors. This aim is not prescriptive in so much it remains the responsibility of the local housing authority to set rents. In the Autumn Statement of 2022, the Chancellor of the Exchequer confirmed that a 7% cap would apply to social housing rent increases for 2023/24 due to high inflation.
- 5.3.8 Section 18 of the Landlord and Tenant Act 1985 sets out the basic ground rules for service charges, defining what is considered a service charge, these are defined as 'an amount payable by a tenant of a dwelling as part of or in addition to the rent which is payable, directly or indirectly, for services, repairs, maintenance, improvements or insurance or the landlord's costs of management; and the whole or part of which varies or may vary according to the relevant costs'.
- 5.3.9 The main duties upon local authorities as landlords in relation to fire safety are covered by the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021, and the Housing Act 2004. Local housing authorities as landlords also need to comply with other statutory requirements that are set out in the Gas Safety (Installation and Use) Regulations 1998, the Electrical Equipment (Safety) Regulations 1994, and the Furniture and Furnishings Act 1988.
- 5.3.10 The council's Constitution (Article 7 – Committees, Forums, Working Groups, and Partnerships) sets out the responsibilities of the Housing and Growth Committee which include:
- (1) Responsibility for:
- housing (including housing strategy, homelessness, social housing and housing grants, private sector housing and leasing, housing licencing and enforcement, HRA Revenue Account and Capital Programme).
 - Regeneration Strategy and overseeing Major Regeneration Schemes
 - Asset Management
 - Development of Council Land
 - Fire Safety
 - [...]
- (2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

5.2.11 The council's Constitution (Article 17 - Financial Regulations) also states:

- 2.3.6 - Changes to fees and charges should be included in the budget proposals submitted by theme Committees or the relevant committee as part of the budget setting process. Theme Committees and other committees refer all fees and charges to the Policy and Resources Committee. The Policy and Resources Committee reviews all fees and charges which then form part of the budget that is subject to public consultation. Subject to public consultation outcomes and equality impact assessments, the Policy and Resources Committee recommends all fees and charges to Full Council for approval as part of the council's overall budget.

[...] Changes to annual tenant rents and service charges for the HRA and GF must be referred from Housing & Growth Committee to Policy and Resources Committee before tenants and leaseholders are issued with formal notices and bills ahead of the upcoming financial year.

The budget recommended by Policy and Resources Committee to Full Council will incorporate the latest projection of income from fees and charges. Full Council will approve all fees and charges

5.3 Insight

5.4.1 No specific insight has been used in this report.

5.4 Social Value

5.5.1 There are no specific Social Value aspects to this report.

5.5 Risk Management

5.5.1 The proposed rent and service charge increase is likely to more greatly affect households that are already experiencing socio-economic disadvantage, particularly at a time when general living costs are increasing, and with the greatest impact on larger households where the rent charges are higher. Barnet Homes will work with all tenants who may suffer financial hardship during their tenancy at the earliest opportunity to mitigate the risk of increased hardship.

5.5.2 Of all council tenants, 69.8% are currently in receipt of either full or partial Housing Benefit or the housing element of Universal Credit, and of all tenants living in temporary accommodation, 81.6% are currently in receipt of either full or partial Housing Benefit or the housing element of Universal Credit; as such, we do not expect the majority of individuals to be directly affected by any increase to the rental charge.

5.5.3 There is also a risk that increasing the service charges will make it more difficult for tenants to pay by making service charge collection more difficult. This is considered to be a low risk as for most tenants Housing Benefit or Universal Credit will continue to cover most of the costs, including the costs relating to grounds maintenance, although the cost of alarm services and heating and hot water is not covered.

5.5.4 For those affected, Barnet Homes provides services to manage the range of

demands from council tenants and temporary accommodation clients, including income maximisation and tenancy sustainment. Barnet Homes promotes information to tenants through a variety of mediums about how they can access support, including the quarterly housing newsletter AtHome, the Barnet Homes website, through interactions with Housing Officers and the Income Collection Service, and through advice provided alongside the notice of rent increase that is sent in advance to tenants.

5.5.5 Data modelling is undertaken to ensure early intervention if any tenant is struggling to pay their rent or service charges, and Barnet Homes' Income Collection Service uses an IT system that identifies issues at the earliest opportunity. A range of operational mitigations are in place regarding the risk of unaffordability of rents and service charges, including:

- Raising tenant awareness of their benefit entitlement and supporting them to receive the maximum financial support available depending on their individual circumstances, including accessing as appropriate Discretionary Housing Payments, Council Tax support, Council Tax discretionary relief, Council Tax severe mental impairment exemption, Resident Support Fund, the Mayor's Benevolent Fund, DWP Universal Credit direct housing payments, and DWP Budgeting Loan;
- Referring tenants in need of further assistance to in-house support services where appropriate, including specialist welfare benefit advisors who can help signpost tenants and help them to maximise their benefits;
- Income Collection Service trained on supporting people with financial difficulties, including training from the Credit Union which officers may promote to tenants;
- Early intervention work in partnership with the Department of Work and Pensions to support tenants at risk of or in rent arrears;
- Working in partnership to support tenants at risk of or in rent arrears with the JobCentre Plus, Barnet and Southgate College, and local community organisations through Barnet Homes' BOOST service which assists unemployed residents in local areas to find work, and provides housing support, benefits advice, and training opportunities, including support with digital inclusion and improving tenants' digital capacity;
- Working in partnership with Family Services Welfare Benefit Advisers where those in difficulty have children;
- Provision of floating support services to provide practical assistance and support to help people maintain their homes and their independence;
- Allocation of foodbank vouchers;
- Access to The Barnet Group's £40k Innovation Fund, which is available to staff to promote innovative solutions and projects. Successful bids include securing investment in training webinars and financial inclusion/awareness for residents to help those who are experiencing financial difficulty;
- Advice on and incentives to encourage downsizing to a smaller property, where this is possible;
- Social value investment from Barnet Homes' contractors to help fund projects and activities that will benefit communities and residents who are in need; and
- Implementation of a Sustainable Tenancies Strategy to target early intervention and support for those in most need and maximise income collection.

5.6.6 The council has also responded to the cost of living crisis through a range of support that council tenants may be able to access that could assist those currently under financial pressure to sustain their tenancies, and are likely to have a sustained positive impact on household finances into 2023/24. This includes:

- A £2m Barnet Resident Support Fund, which can provide support with furnishings, electrical and gas items, and basic living needs including utilities and food;
- £80k Household Support Fund for October 2022 to March 2023, which will support households struggling to meet food and energy bills;
- £80k in Homelessness Prevention Grant to be spent on preventing private tenants from becoming homeless;
- £240k Community Innovation Fund for Barnet-based voluntary and community projects that aim to improve health and wellbeing, focusing on the cost of living crisis;
- Warm Spaces scheme, a community-led initiative created to help people who are struggling to keep warm this winter;
- Signposting to food banks for those in crisis;
- Signposting to support services and charities that can give advice and support on work, debt, benefits, immigration, housing, and training.
- Free 12-month fibre broadband offer in partnership with BOOST and Community Fibre;
- Signposting to government schemes including the Energy Bills Support Scheme's £400 discount to qualifying households, Cold Weather Payments of £25 per week, Winter Fuel Payments to people of pension age and above for £250-£600 to help pay for heating bills including the pensioner cost of living payment, information about social tariffs that may be available from water companies and phone and broadband providers, and Cost of Living Payments.

5.6.6 Allocation of the council's existing hardship schemes will be monitored, and should they become over-subscribed the council will take to Policy and Resources Committee proposals to make additional funding available.

5.6.7 The risk that increasing rental and service charges could make it more difficult for tenants to pay would impact adversely on the HRA Business Plan as rent and service charge collection may be more difficult and rent and service charges arrears may increase; the support available for tenants that is outlined above should help to mitigate this risk.

5.6 Equalities and Diversity

5.7.1 The Equality Act 2010, Section 149 outlines the provisions of the Public Sector Equality Duty which requires Public Bodies to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant characteristic and persons who do not share it.

- 5.7.2 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership.
- 5.7.3 Consideration has therefore been given to the report's relevance to equality issues in accordance with the Public Sector Equality Duty, and an Equality Impact Assessment has been undertaken. This report is primarily to set rents and associated charges using a fair method within a viable and sustainable HRA, that will be applied to all council dwellings and will therefore affect all council tenants. The increase being applied is proportionate across all properties, and as the increases are not of a personal nature, it is not considered that they target any group of people based on any of the protected characteristics.
- 5.7.4 Whilst the rent increase does not target any specific protected characteristic, the increase will have more of an impact on households on lower incomes. The potential for a detrimental impact exists in as much as an increase in rent will put pressure on those individuals in, or at risk of, financial hardship. The rent increase will also have more of an impact on households living in larger properties, which will experience a higher increased rental cost per week due to the higher rents that are applied to these properties; this will affect some sub-groups of the tenant population more than others due to the property size generally held more commonly by those sub-groups.
- 5.7.5 However, rents and the majority of tenant service charges are covered by Housing Benefit or Universal Credit (heating and alarm charges are not), and rent levels will remain well below market rent and for the majority of tenants will remain below the LHA level for the borough. In addition, Barnet Homes' in-house Income Collection Service takes a proactive, supportive approach to preventing rent arrears and offering financial inclusion through money advice, referrals for support, and assistance in maximising income (through benefit claims, or advice on management of other debts, for example). This should help to mitigate any detrimental effects that may be experienced.

5.7 Corporate Parenting

- 5.8.1 Foster carers are included in the group that would receive highest priority (if their housing prevents them from being able to start, or continue, to provide foster care) through the council's Housing Allocation Scheme. Council housing also remains the most affordable housing option for care leavers and all rents and the majority of tenant service charges proposed are covered by Housing Benefit or Universal Credit. Care leavers are placed into suitable accommodation when leaving care to allow a successful transition to independent living whilst also developing their skills by providing the right support to help them maintain their tenancies.
- 5.8.2 As a corporate parent to all children in care and care leavers, the council must have regard to the need to act in the best interests and promote the physical and mental health and wellbeing of those children and young people, help them gain access to and make the best use of services provided, promote high aspirations and seek to secure the best outcomes for them, help ensure they are safe and have stability in their home lives, and prepare them for adulthood and independent living.

5.8 Consultation and Engagement

5.9.1 There has not been any specific consultation on the issues arising in this report as consultation is not required under The Direction on the Rent Standard 2023 set by the Secretary of State in line with section 197(a) of the Housing and Regeneration Act 2008.

5.9 Environmental Impact

5.10.1 Implementing the recommendations in this report will lead to a positive impact on the council's carbon and ecology impact.

5.10.2 The current HRA Business Plan includes funding for the delivery of improvements aimed at enhancing the energy efficiency of the stock over the next 30 years. This includes a provision of £13m for the delivery of environmental works to shared and communal spaces on estates along with a provision of an initial £26m towards achieving the Government's Clean Growth Strategy target of reaching EPC C standards by 2030. Further investment will be required from the HRA over time to achieve the Government's 2050 target of carbon neutrality across all housing stock. The HRA rental income derived from the recommendations in this paper will prove necessary to ensure the relevant initiatives can be adequately funded.

6. Background papers

6.1 Relevant previous decisions are listed in the table below

Item	Decision	Link
Item 12, Housing and Growth Committee, 16 November 2022	Housing Revenue Account (HRA) Business Plan	https://barnet.moderngov.co.uk/documents/s75155/HandG%20Cttee%20-%20HRA%20Business%20Plan%20Nov22%20HBP%20ver1.pdf
Item 12, Housing and Growth Committee, 25 October 2022	Housing Strategy and Homelessness and Rough Sleeping Strategy (approval of emerging themes)	https://barnet.moderngov.co.uk/documents/s74637/Housing%20Strategy%20and%20Homelessness%20and%20Rough%20Sleeping%20Strategy%20-%20HG%20251022.pdf
Item 13, Housing and Growth Committee, 16 November 2021	Recommended rents and service charges for council dwellings and temporary accommodation from April 2022	https://barnet.moderngov.co.uk/documents/s68659/Annual%20Review%20of%20Council%20Dwelling%20Rents%20and%20Service%20Charges%20and%20Temporary%20Accommodation%20rents%20202223.pdf
Item 8, Housing Committee, 1 April 2019	Approved Housing Strategy 2019-2024	https://barnet.moderngov.co.uk/ieListDocuments.aspx?Clid=699&MId=9740&Ver=4

Equalities Impact Assessment (EqIA)

EqIAs make services better for everyone and support value for money by getting services right first time.

EqIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then create an action plan to get the best outcomes for service users and staff¹. They analyse how all our work as a council might impact differently on different groups protected from discrimination by the Equality Act 2010². They help us make good decisions and evidence how we have reached them.³

An EqIA needs to be started as a project starts to identify and consider possible differential impacts on people and their lives, inform project planning and, where appropriate, identify mitigating actions. A full EqIA must be completed before any decisions are made or policy agreed so that the EqIA informs that decision or policy. It is also a live document; you should review and update it along with your project plan throughout.

You should first consider whether you need to complete this full EqIA⁴.

Other key points to note:

- Full guidance notes to help you are embedded in this form – see the End Notes or hover the mouse over the numbered notes.
- Please share your EqIA with your Equalities Champion and the final/updated version at the end of the project.
- Major EqIAs should be reviewed by the relevant Head of Service.
- Examples of completed EqIAs can be found on the Equalities Hub

1. Responsibility for the EqIA

Title of proposal ⁵	Annual Review of Council Dwelling Rents and Service Charges and Temporary Accommodation rents for 2023/24
Name and job title of completing officer	Laura Giles, Head of Strategy and Compliance (Barnet Homes)
Head of service area responsible	Housing
Equalities Champion supporting the EqIA	Laura Giles, Head of Strategy and Compliance (Barnet Homes)
Performance Management rep	n/a
HR rep (for employment related issues)	n/a
Representative (s) from external stakeholders	Greg Terefenko, Head of Housing Management Services (Barnet Homes)

2. Description of proposal

Is this a: (Please tick all that apply)	
New policy /strategy / function / procedure / service <input type="checkbox"/>	Review of Policy /strategy / function / procedure / service <input type="checkbox"/>
Budget Saving <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
If budget saving please specify value below:	If other please specify below: Budget income generation
<i>Please outline in no more than 3 paragraphs⁶:</i>	
The council is required to set council dwelling rents and associated service charges for council tenants on an annual basis. These are set out in a formal rent notice issued to all tenants before the start of the financial year. Various items of legislation apply to the process, including the Localism Act 2011, the Housing Act 1985, the Housing Act 1988, the Local Government and Housing Act 1989, and the Welfare Reform and Work Act 2016. The Local Government and Housing	

Act 1989 requires the Housing Revenue Account (HRA) to be maintained as a ring-fenced account and prescribes the debits and credits to be applied to it. The principal items of expenditure within the HRA are management and maintenance costs, together with charges for capital expenditure (depreciation and interest). This is substantially met by rent and service charge income from dwellings, garages, and commercial premises. The HRA is self-financing and has a 30-year business plan in place with planned spending including the development of new homes to meet local housing need, the maintenance of existing homes, and essential fire safety works.

For **council dwellings** it is proposed that for both **social rents and Affordable Rents**, Barnet follow the national rent setting cap announced by the Government in the Autumn Statement 2022, and that social rent is increased by 7% for 2023/2024 for existing tenants. For **temporary accommodation rents** It is proposed that those temporary accommodation rents that are currently below Local Housing Allowance rates are increased for 2023/24 in line with the rent increase proposed for council dwellings at 7%, up to a maximum of the applicable LHA level.

Service charges usually reflect additional services that may not be provided to every tenant, or that may relate to communal facilities. For properties let at social rents, service charges are subject to separate legal requirements and are limited to covering the cost of providing the services. For Affordable Rent properties, the rent is inclusive of service charges and these households are therefore unaffected by any changes. Service charges and garage rents have been reviewed to ensure that costs are being recovered. It is proposed that some service charges are increased from 1 April 2023 to reflect the increased costs of providing the services, to ensure that this is recouped to allow essential HRA investment in housing and property services, safety, and provision of new affordable housing supply to be maintained.

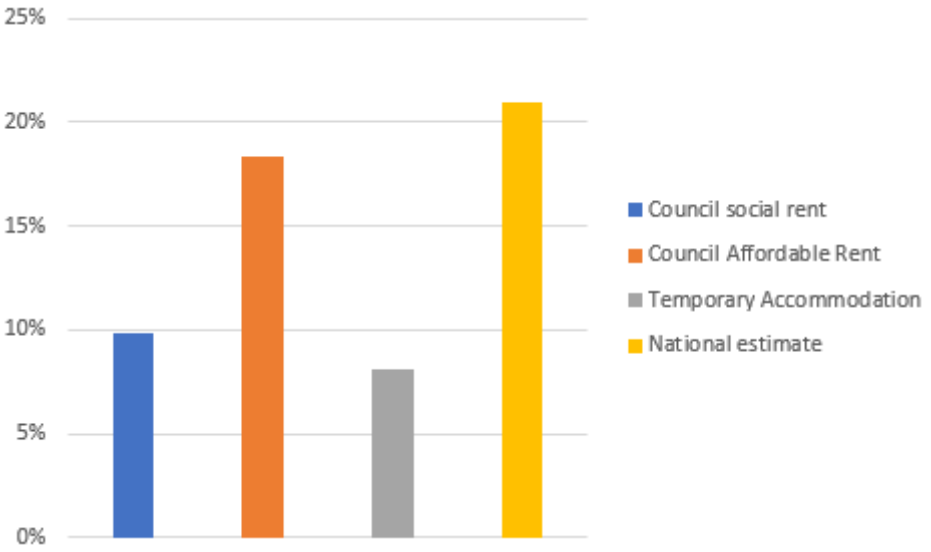
3. Supporting evidence

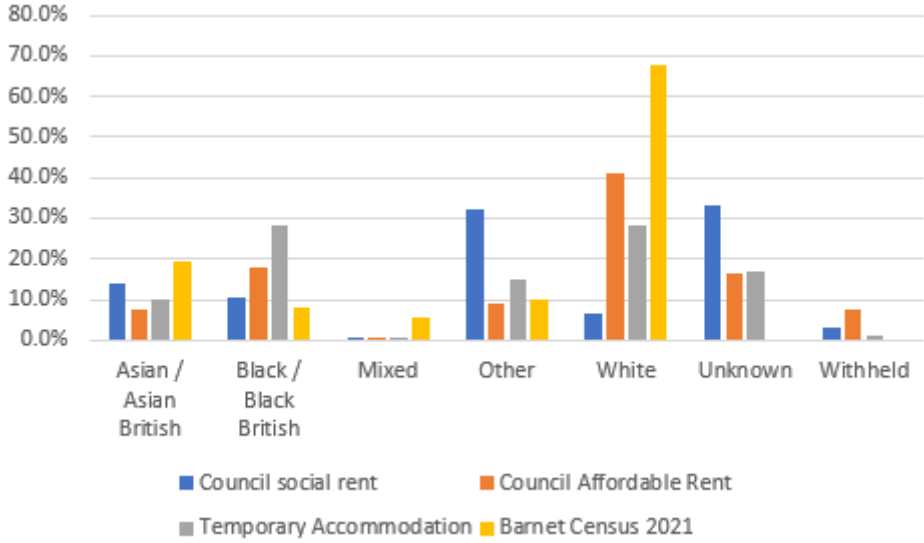
What existing data informs your assessment of the impact of the proposal on protected groups of service users and/or staff?

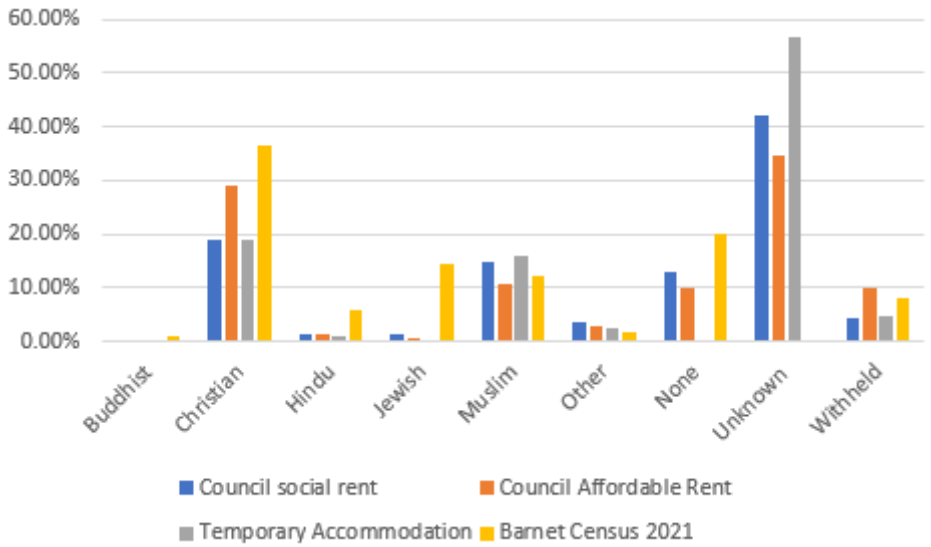
Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis

Protected group	What does the data tell you⁷? <i>Provide a summary of any relevant demographic data about the borough's population from the Joint Strategic Needs Assessment, or data about the council's workforce</i>	What do people tell you ⁸?
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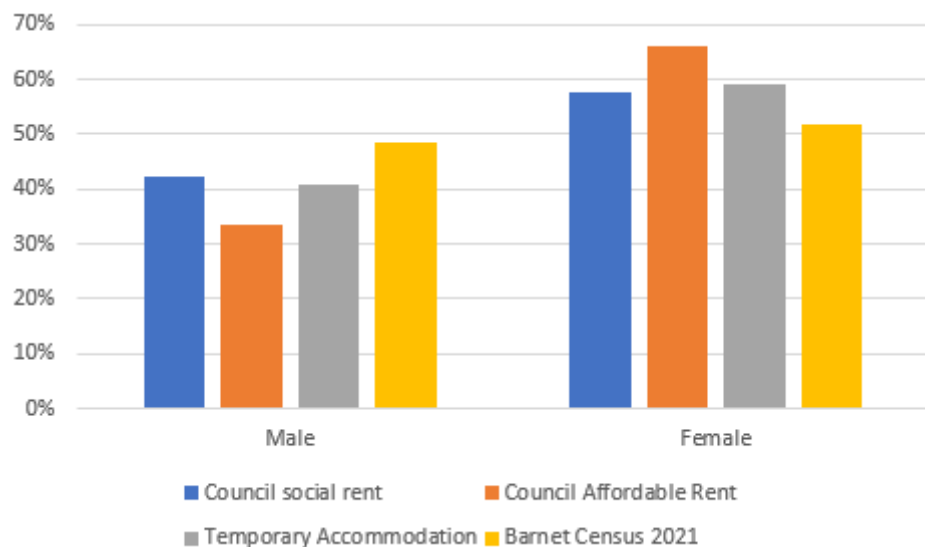
<p>Age⁹</p>	<table border="1"> <caption>Estimated data from the bar chart</caption> <thead> <tr> <th>Age Group</th> <th>Council social rent (%)</th> <th>Council Affordable Rent (%)</th> <th>Temporary Accommodation (%)</th> <th>Barnet Census 2021 (%)</th> </tr> </thead> <tbody> <tr> <td>18-24</td> <td>3.5</td> <td>2.0</td> <td>1.5</td> <td>14.0</td> </tr> <tr> <td>25-34</td> <td>13.5</td> <td>7.0</td> <td>19.5</td> <td>19.0</td> </tr> <tr> <td>35-44</td> <td>23.5</td> <td>13.5</td> <td>25.0</td> <td>19.0</td> </tr> <tr> <td>45-54</td> <td>25.0</td> <td>22.0</td> <td>28.5</td> <td>17.0</td> </tr> <tr> <td>55-64</td> <td>16.5</td> <td>23.0</td> <td>19.5</td> <td>13.0</td> </tr> <tr> <td>65-89</td> <td>16.0</td> <td>23.5</td> <td>5.5</td> <td>17.0</td> </tr> <tr> <td>90+</td> <td>1.5</td> <td>1.5</td> <td>0.0</td> <td>1.0</td> </tr> <tr> <td>Unknown</td> <td>0.5</td> <td>6.5</td> <td>0.0</td> <td>0.0</td> </tr> </tbody> </table>	Age Group	Council social rent (%)	Council Affordable Rent (%)	Temporary Accommodation (%)	Barnet Census 2021 (%)	18-24	3.5	2.0	1.5	14.0	25-34	13.5	7.0	19.5	19.0	35-44	23.5	13.5	25.0	19.0	45-54	25.0	22.0	28.5	17.0	55-64	16.5	23.0	19.5	13.0	65-89	16.0	23.5	5.5	17.0	90+	1.5	1.5	0.0	1.0	Unknown	0.5	6.5	0.0	0.0	<p>n/a</p>
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<p>Disability¹⁰</p>	 <p>The bar chart displays the percentage of tenants with disabilities across four categories. The y-axis ranges from 0% to 25% in 5% increments. The x-axis categories are Council social rent (blue bar, ~10%), Council Affordable Rent (orange bar, ~18%), Temporary Accommodation (grey bar, ~8%), and National estimate (yellow bar, ~21%).</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Council social rent</td> <td>10%</td> </tr> <tr> <td>Council Affordable Rent</td> <td>18%</td> </tr> <tr> <td>Temporary Accommodation</td> <td>8%</td> </tr> <tr> <td>National estimate</td> <td>21%</td> </tr> </tbody> </table> <p>Data on all tenants is based on the lead tenant profile; the temporary accommodation data shows only those lead tenants in households affected by the proposed rent increase. Barnet’s Joint Strategic Needs Assessment does not contain detailed population data regarding disability; the table therefore reflects estimated national data for adults of working age. National estimates are that 42% of adults of pensionable age have a disability.</p> <p>Based on the data available, it is not anticipated that those who are disabled are likely to be more impacted by the proposals; however, there is a high proportion of tenants about whom this information is not currently held, and work is underway to improve this position.</p>	Category	Percentage	Council social rent	10%	Council Affordable Rent	18%	Temporary Accommodation	8%	National estimate	21%	
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<p>Gender reassignment¹¹</p>	<p>Council rent – social rent (main tenant data) <i>Information not held</i></p> <p>Council rent – Affordable Rent (main tenant data) <i>Information not held</i></p> <p>Temporary accommodation (affected tenants) (main tenant data) <i>Information not held</i></p>											

	<p>Barnet population (Barnet Joint Strategic Needs Assessment) <i>Information not held</i></p>	
<p>Marriage and Civil Partnership¹²</p>	<p>n/a - This protected characteristic is relevant to employment under the Equality Act 2010.</p>	
<p>Pregnancy and Maternity¹³</p>	<p>Council rent – social rent (main tenant data) <i>Information not held</i></p> <p>Council rent – Affordable Rent (main tenant data) <i>Information not held</i></p> <p>Temporary accommodation (affected tenants) (main tenant data) <i>Information not held</i></p>	
<p>Race/ Ethnicity¹⁴</p>	 <p>Data on all tenants is based on the lead tenant profile; the temporary accommodation data shows only those lead tenants in households affected by the proposed rent increase. Barnet’s population data for comparison is taken from the Census 2021. It should be noted the Census data shows all residents of the borough.</p>	

	<p>For the social rent and temporary accommodation group, there is greater representation of those from an ethnic minority background compared to the Census data; there is lesser representation for the Affordable Rent group. When disaggregated, we see greater representation of those from a Black or Black British background, and for social rent in particular from an 'Other' background, with these groups more likely to be affected by the proposals due to their prevalence in the populations. It should also be noted that there is a high proportion of tenants about whom this information is not known, and work is underway to improve this position.</p>																																																			
<p>Religion or belief¹⁵</p>	 <p>The bar chart displays the percentage of tenants for various religions or beliefs across four categories: Council social rent (blue), Council Affordable Rent (orange), Temporary Accommodation (grey), and Barnet Census 2021 (yellow). The Y-axis represents percentages from 0.00% to 60.00%. The X-axis lists the religions or beliefs: Buddhist, Christian, Hindu, Jewish, Muslim, Other, None, Unknown, and Withheld. The 'Unknown' category shows the highest percentage for Council social rent and Temporary Accommodation, while 'Christian' shows the highest percentage for Barnet Census 2021.</p> <table border="1"> <thead> <tr> <th>Religion or belief</th> <th>Council social rent</th> <th>Council Affordable Rent</th> <th>Temporary Accommodation</th> <th>Barnet Census 2021</th> </tr> </thead> <tbody> <tr> <td>Buddhist</td> <td>0.00%</td> <td>0.00%</td> <td>0.00%</td> <td>0.00%</td> </tr> <tr> <td>Christian</td> <td>18.00%</td> <td>28.00%</td> <td>18.00%</td> <td>35.00%</td> </tr> <tr> <td>Hindu</td> <td>1.00%</td> <td>1.00%</td> <td>1.00%</td> <td>5.00%</td> </tr> <tr> <td>Jewish</td> <td>1.00%</td> <td>1.00%</td> <td>1.00%</td> <td>1.00%</td> </tr> <tr> <td>Muslim</td> <td>14.00%</td> <td>10.00%</td> <td>15.00%</td> <td>12.00%</td> </tr> <tr> <td>Other</td> <td>4.00%</td> <td>3.00%</td> <td>2.00%</td> <td>1.00%</td> </tr> <tr> <td>None</td> <td>12.00%</td> <td>10.00%</td> <td>12.00%</td> <td>20.00%</td> </tr> <tr> <td>Unknown</td> <td>42.00%</td> <td>34.00%</td> <td>55.00%</td> <td>0.00%</td> </tr> <tr> <td>Withheld</td> <td>4.00%</td> <td>10.00%</td> <td>5.00%</td> <td>8.00%</td> </tr> </tbody> </table> <p>Data on all tenants is based on the lead tenant profile; the temporary accommodation data shows only those lead tenants in households affected by the proposed rent increase. Barnet's population data for comparison is taken from the Census 2021. It should be noted that the Census data shows all residents of the borough.</p> <p>There is lesser representation of those with a religion or belief for all tenant populations compared to the Census data; however there is a high proportion of tenants about whom this information is not held, and work is ongoing to improve this position.</p>	Religion or belief	Council social rent	Council Affordable Rent	Temporary Accommodation	Barnet Census 2021	Buddhist	0.00%	0.00%	0.00%	0.00%	Christian	18.00%	28.00%	18.00%	35.00%	Hindu	1.00%	1.00%	1.00%	5.00%	Jewish	1.00%	1.00%	1.00%	1.00%	Muslim	14.00%	10.00%	15.00%	12.00%	Other	4.00%	3.00%	2.00%	1.00%	None	12.00%	10.00%	12.00%	20.00%	Unknown	42.00%	34.00%	55.00%	0.00%	Withheld	4.00%	10.00%	5.00%	8.00%	
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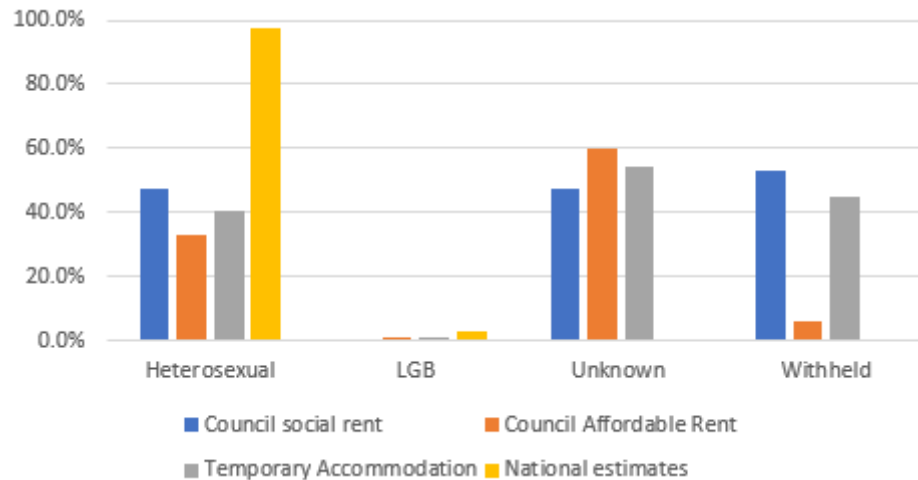
Sex¹⁶



Data on all tenants is based on the lead tenant profile; the temporary accommodation data shows only those lead tenants in households affected by the proposed rent increase. Barnet’s population data for comparison is taken from the Census 2021. It should be noted that the Census data shows all residents of the borough aged 15+.

There is higher representation of women in the three tenant populations compared to the wider Barnet profile. It should be noted that the tenant profile reflects the ‘lead’ tenant only, and does not reflect any joint tenants; however, it is expected that there will be a higher female population within the tenant groups due to the higher rate of female tenants as sole tenants, particularly those who are parents, due to higher priority need under the Housing Allocations Scheme. Women will therefore be more likely to be affected due to their higher prevalence in the relevant populations.

Sexual Orientation¹⁷



Data on all tenants is based on the lead tenant profile; the temporary accommodation data shows only those lead tenants in households affected by the proposed rent increase. Barnet’s population data for comparison is based on national estimates as the JSNA does not include this information.

There broad representation of those who identify as lesbian, gay, bisexual, or other in the tenant profiles compared to the national estimates; however, there is a high proportion of tenants about whom this information is not held, and work is underway to improve this position.

Other relevant groups¹⁸

There is high representation of those affected by socio-economic factors, with a high proportion of households from all groups, particularly temporary accommodation, eligible for welfare benefits.

4. Assessing impact

What does the evidence tell you about the impact your proposal may have on groups with protected characteristics ¹⁹?

Protected characteristic	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Is there an impact on service deliver? Is there an impact on customer satisfaction?	Pos itiv	Negative impact	No imm

	Click the appropriate box on the right to indicate the outcome of your analysis.		Minor	Major	
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There is the greatest impact on households where the main tenant is aged 45-54, with an increase of £2.24 above the average, which is £1.03 more than the next highest group. This is mainly due to the property size held as the greatest increase in average rents can be seen in the larger properties. Although the rent increase is being applied consistently, the impact is higher than that for other protected characteristics, and is affected by the high proportion of tenants within this age group. The information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.

Temporary Accommodation

Age	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
18-24	5.1%	254.55	272.37	17.82	-5.42	-23.3%
25-34	15.0%	291.39	311.79	20.40	-2.84	-12.2%
35-44	31.1%	324.45	347.16	22.71	-0.52	-2.2%
45-54	33.7%	363.20	388.62	25.42	2.19	9.4%
55-64	12.9%	344.86	369.00	24.14	0.91	3.9%
65+	2.3%	351.99	376.63	24.64	1.41	6.1%

There is the greatest impact on households where the main tenant is aged 45-54, with an increase of £2.19 above the average, which is 78 pence more than the next highest group. This is mainly due to the property size held as the greatest increase in average rents can be seen in the larger properties. The impact is higher than others seen but is not considered to be substantial. The value of the rent increase will not be consistent across all households as some are currently charged a greater amount below the LHA, and this will also have an impact on the actual increase experienced compared to the overall average. The information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.

The rent increase will affect all council households and all temporary accommodation households that are currently paying weekly rent below the LHA level; however, it does not have a disproportionately adverse effect on tenants on the grounds of age.

The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council's Arms-Length Management

	<p>Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment. There may be potential issues or barriers around communication for both young and elderly tenants regarding the type of communication used to engage but individual officers will ensure a tailored approach to individual need with different communication channels.</p> <p>The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is ‘ring-fenced’ to the Housing Revenue Account, ensuring that it is used for no other purpose.</p> <p>The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.</p> <p>The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.</p>																																
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Yes	9.9%	188.71	201.92	13.21	-2.83	-17.6%
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There is a lesser impact on households where the main tenant has declared themselves to have a disability, with these households on average paying £2.83 less than the average in additional rent each week.

Temporary Accommodation

Disability	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
Yes	4.0%	296.36	317.10	20.75	-2.49	-10.7%

There is a lesser impact on households where the main tenant has declared themselves to have a disability, with these households on average paying £2.49 less than the average in additional rent each week. This is likely to be linked to typical property sizes as the greatest increase in average rents can be seen in the larger properties. The value of the rent increase will not be consistent across all households as some are currently charged a greater amount below the LHA, and this will also have an impact on the actual increase experienced compared to the overall average.

The rent increase will affect all council households and all temporary accommodation households that are currently paying weekly rent below the LHA level; however, it does not have a disproportionately adverse effect on tenants on the grounds of disability. Those who are disabled are likely to be eligible for support including welfare benefits, which is likely to further mitigate any impact of the proposal.

The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council's Arms-Length Management Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment. There may be potential issues or barriers around communication for some tenants with a disability regarding the type of communication used to engage but individual officers will ensure a tailored approach to individual need with different communication channels.

The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is 'ring-fenced' to the Housing Revenue Account, ensuring that it is used for no other purpose.

	<p>The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.</p> <p>The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.</p>				
Gender reassignment	There is insufficient data to identify any impact on this protected characteristic.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage and Civil Partnership	There is insufficient data to identify any impact on this protected characteristic.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and Maternity	n/a - This protected characteristic is relevant to employment under the Equality Act 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Race/
Ethnicity

The tables below set out the average increase per week by gender/sex. The overall average increase of 7% equates to an average per week of £8.30 for social rent, £16.04 for Affordable Rent, and £21.41 for temporary accommodation.

Social rent

Race	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£8.30)	Distance from Total Average %
Asian / Asian British	10.0%	118.15	126.42	8.27	-0.03	-0.4%
Black / Black British	23.3%	118.78	127.10	8.31	0.01	0.2%
Mixed	1.1%	118.19	126.47	8.27	-0.03	-0.3%
Other	11.6%	117.19	125.39	8.20	-0.10	-1.2%
White	54.0%	118.47	126.77	8.29	-0.01	-0.1%

There is the greatest impact on households where the main tenant is Black or Black British, with an increase of 1 penny above the average. This is mainly due to the property size held as the greatest increase in average rents can be seen in the larger properties. The impact is not considered to be substantial.

Affordable Rent

Race	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£16.04)	Distance from Total Average %
Asian / Asian British	21.7%	258.00	276.06	18.06	2.02	12.6%
Black / Black British	16.8%	255.33	273.20	17.87	1.83	11.4%
Mixed	0.7%	219.91	235.30	15.39	-0.64	-4.0%
Other	10.5%	234.70	251.13	16.43	0.39	2.4%
White	50.3%	214.89	229.93	15.04	-1.00	-6.2%

There is the greatest impact on households where the main tenant is Asian or Asian British, or Black or Black British, with an increase of £1.83 to £2.02 above the average. This is mainly due to the property size generally held by Asian and Black households, as the greatest increase in average rents can be seen in the larger properties. The impact is higher than others seen but is not considered to be substantial. The



information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.

Temporary accommodation

Race	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
Asian / Asian British	20.9%	342.91	366.92	24.00	0.77	3.3%
Black / Black British	33.0%	349.59	374.06	24.47	1.24	5.3%
Mixed	2.3%	363.49	388.93	25.44	2.21	9.5%
Other	13.4%	351.40	376.00	24.60	1.36	5.9%
White	30.4%	318.23	340.50	22.28	-0.96	-4.1%

There is the greatest impact on households where the main tenant is from an ethnic minority background, particularly from a Mixed, Other, or Black or Black British background with an increase of £1.24 to £2.21 above the average. This is mainly due to the property size generally held by Asian, Black, Mixed, and Other households, as the greatest increase in average rents can be seen in the larger properties. The impact is higher than others seen but is not considered to be substantial. The value of the rent increase will not be consistent across all households as some are currently charged a greater amount below the LHA, and this will also have an impact on the actual increase experienced compared to the overall average. The information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.

The rent increase will affect all council households and all temporary accommodation households that are currently paying weekly rent below the LHA level; however, it does not have a disproportionately adverse effect on tenants on the grounds of race.

The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council's Arms-Length Management Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment. Barnet Homes' Housing Management team will work with the data intelligence team to identify groups that may require a

	<p>targeted approach to engagement. Individual officers will ensure a tailored approach to individual need with different communication channels.</p> <p>The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is ‘ring-fenced’ to the Housing Revenue Account, ensuring that it is used for no other purpose.</p> <p>The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.</p> <p>The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.</p>																																																																			
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None / atheist / agnostic	24.2%	222.76	238.35	15.59	-0.45	-2.8%
Christian	35.8%	223.29	238.92	15.63	-0.41	-2.5%
Muslim	27.5%	257.14	275.14	18.00	1.96	12.2%
Hindu	2.5%	270.02	288.92	18.90	2.86	17.8%
Jewish	2.5%	201.06	215.13	14.07	-1.96	-12.2%
Other	5.8%	219.30	234.65	15.35	-0.69	-4.3%
Buddhist	0.8%	199.24	213.19	13.95	-2.09	-13.0%
Jain	0.8%	243.93	261.01	17.08	1.04	6.5%

There is the greatest impact on households where the main tenant is of the Muslim or Hindu faiths, with an increase of £1.96 to £2.86 above the average. This is mainly due to the property size generally held by Muslim and Hindu tenants, as the greatest increase in average rents can be seen in the larger properties. The impact is higher than others seen but is not considered to be substantial. The information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.

Temporary accommodation

Religion or Belief	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
None / atheist / agnostic	14.7%	302.49	323.66	21.17	-2.06	-8.9%
Christian	36.7%	331.48	354.68	23.20	-0.03	-0.1%
Muslim	42.0%	387.37	414.49	27.12	3.88	16.7%
Hindu	1.3%	271.61	290.62	19.01	-4.22	-18.2%

	Jewish	2.0%	326.67	349.54	22.87	-0.37	-1.6%				
	Other	3.3%	326.72	349.59	22.87	-0.36	-1.6%				
	<p>There is the greatest impact on households where the main tenant is of the Muslim faith, with an increase of £3.88 above the average; £3.91 more than the next highest group. This is mainly due to the property size generally held by Muslim tenants, as the greatest increase in average rents can be seen in the larger properties. The impact is higher than others seen but is not considered to be substantial. The value of the rent increase will not be consistent across all households as some are currently charged a greater amount below the LHA, and this will also have an impact on the actual increase experienced compared to the overall average. The information above can be used to ensure preventative measures regarding the risk of rent arrears and other mitigations to ensure tenancy sustainment are appropriate and can be targeted to those potentially most in need.</p> <p>The rent increase will affect all council households and all temporary accommodation households that are currently paying weekly rent below the LHA level; however, it does not have a disproportionately adverse effect on tenants on the grounds of religion or belief.</p> <p>The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council's Arms-Length Management Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment. Individual officers will ensure a tailored approach to individual need with different communication channels.</p> <p>The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is 'ring-fenced' to the Housing Revenue Account, ensuring that it is used for no other purpose.</p> <p>The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.</p> <p>The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.</p>										
Sex	The tables below set out the average increase per week by gender/sex. The overall average increase of 7% equates to an average per week of £8.30 for social rent, £16.04 for Affordable Rent, and £21.41 for temporary accommodation.							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Social rent										

Sex	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£8.30)	Distance from Total Average %
Female	66.2%	121.01	129.48	8.47	0.17	2.1%
Male	33.7%	114.32	122.32	8.00	-0.30	-3.6%

There is the greatest impact on households where the main tenant is female, with an increase of 17 pence above the average (+47 pence compared to households where the main tenant is male). This is mainly due to the property size held by each lead tenant gender type as the greatest increase in average rents can be seen in the larger properties. The impact is not considered to be substantial.

Affordable Rent

Sex	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£16.04)	Distance from Total Average %
Female	57.8%	231.04	247.21	16.17	0.13	0.8%
Male	42.2%	226.49	242.34	15.85	-0.18	-1.1%

There is the greatest impact on households where the main tenant is female, with an increase of 13 pence above the average (+31 pence compared to households where the main tenant is male). This is mainly due to the property size held by each gender type as the greatest increase in average rents can be seen in the larger properties. The impact is not considered to be substantial.

Temporary Accommodation

Sex	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
Female	64.2%	333.61	356.96	23.35	0.12	0.5%
Male	35.8%	328.87	351.89	23.02	-0.21	-0.9%

There is the greatest impact on households where the main tenant is female, with an increase of 12 pence above the average (+33 pence compared to households where the main tenant is male). This is mainly due to the property size held by each gender type as the greatest increase in average rents can be seen in the larger properties. The impact is not considered to be substantial. The value of the rent

	<p>increase will not be consistent across all households as some are currently charged a greater amount below the LHA, and this will also have an impact on the actual increase experienced compared to the overall average.</p> <p>The rent increase will affect all council households and all temporary accommodation households that are currently paying weekly rent below the LHA level; however, it does not have a disproportionately adverse effect on tenants on the grounds of sex/gender. Single women are more likely than men to have dependent children living with them.</p> <p>The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council's Arms-Length Management Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment.</p> <p>The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is 'ring-fenced' to the Housing Revenue Account, ensuring that it is used for no other purpose.</p> <p>The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.</p> <p>The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.</p>																		
<p>Sexual Orientation</p>	<p>Due to the high number of households with unknown data about sexual orientation, there is insufficient data to identify any firm conclusions about impact on this protected characteristic; however illustrative breakdowns are provided below.</p> <p>The tables below set out the average increase per week by gender/sex. The overall average increase of 7% equates to an average per week of £8.30 for social rent, £16.04 for Affordable Rent, and £21.41 for temporary accommodation.</p> <p>Social rent</p> <table border="1" data-bbox="501 1219 1729 1378"> <thead> <tr> <th>Sexual Orientation</th> <th>% Known</th> <th>Current Rent Average</th> <th>Proposed Rent Average (+7%)</th> <th>Average Impact £ per Week</th> <th>Distance from Total Average (£) (£8.30)</th> <th>Distance from Total Average %</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Sexual Orientation	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£8.30)	Distance from Total Average %								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£8.30)	Distance from Total Average %													

Heterosexual	97.8%	117.74	125.98	8.24	-0.06	-0.7%
LGB	2.2%	109.63	117.30	7.67	-0.63	-7.5%

Affordable Rent

Sexual Orientation	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£16.04)	Distance from Total Average %
Heterosexual	100.0%	237.09	253.69	16.60	0.56	3.5%
LGB	-	-	-		-	-

Temporary accommodation

Age	% Known	Current Rent Average	Proposed Rent Average (+7%)	Average Impact £ per Week	Distance from Total Average (£) (£23.23)	Distance from Total Average %
Heterosexual	98.6%	338.98	362.71	23.73	0.50	2.1%
LGB	1.4%	333.70	357.06	23.36	0.13	0.5%

5. Other key groups

Are there any other vulnerable groups that might be affected by the proposal?

These could include carers, people in receipt of care, lone parents, people with low incomes or unemployed

Positive impact

Negative impact

Minor

Major

No impact

<p>Key groups</p>	<p>The benefit cap was introduced from 2013. Four council social rent households and 10 temporary accommodation households are currently benefit-capped (£442.31 per week for couples and lone parents / £296.35 per week for single adults in Greater London, and £384.62 per week for couples and lone parents / £257.69 per week for single adults outside Greater London). Barnet Homes does not hold information about how many, if any, tenants in receipt of Universal Credit are affected by the benefit cap as this information is held by the DWP.</p> <p>Using our data held we are aware of residents already in some form of arrears and below is a breakdown per tenure.</p> <p>Council rent – social rent (main tenant data) 51.4% in arrears; 34.2% under £500, 17.2% over £500</p> <p>Council rent – Affordable Rent (main tenant data) 58.9% in arrears; 23.9% under £500, 35% over £500</p> <p>Temporary accommodation (affected tenants) (main tenant data) 55.1% in arrears; 22.6% under £500, 32.5% over £500</p> <p>Specialist housing officers will continue to ensure all tenants in arrears are offered support and advice on how to reduce their arrears in an affordable way. We will continue to sign post tenants to all support services available to them, and ensure their benefits are maximised.</p> <p>The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless. Barnet Homes, Barnet Council’s Arms-Length Management Organisation, will provide support to affected households, including advice and support on benefit entitlement, training, and employment. Eviction is only undertaken as a last resort and is very rare, with a range of preventative measures deployed to increase tenancy sustainment.</p> <p>The table below provides detail on the number of properties charged a social rent that are affected by the proposed rent increase of 7%, and the average weekly rent increases.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Social Rents 2022/23 with proposed increase at 7.0%				
Size	Number of units	Current average weekly social rents	Proposed average weekly rent (7.0% increase)	Average weekly increase
0 bed	180	£86.91	£92.99	£6.08
1 bed	2,329	£102.99	£110.20	£7.21
2 bed	3,427	£117.46	£125.68	£8.22
3 bed	2,524	£134.21	£143.60	£9.39
4 bed	233	£148.38	£158.77	£10.39
5 bed	15	£168.50	£180.30	£11.80
6 bed	4	£176.88	£189.26	£12.38

The table below provides detail on the number of properties charged an Affordable Rent that are affected by the proposed rent increase of 7%, and the average weekly rent increases.

Affordable Rents 2022/23 with proposed increase at 7.0%				
Size	Number of units	Current average weekly social rents	Proposed average weekly rent (7.0% increase)	Average weekly increase
1 bed	83	£182.18	£194.93	£12.75
2 bed	76	£236.58	£253.14	£16.56

3 bed	67	£278.97	£298.50	£19.53
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The table below provides detail on the number of households (council tenants) affected by an increase in service charges across all tenures:

Service Charge	Number of households (council tenant occupiers) affected
Alarm Services	688
Caretaking quarterly	167
Caretaking weekly	3,614
Digital TV	2,513
Door Entry Systems	458
Enhanced Housing Management Support	351
Grounds Maintenance	4,720
Heating and Hot water	4,720
Lighting	4,522
Sprinkler system / fire safety	67

The rent increase will also directly benefit all council tenants as all rental income is used to fund housing management services, the development and acquisition of new properties, and the maintenance of existing homes including essential fire safety works. The rental income for council homes is 'ring-fenced' to the Housing Revenue Account, ensuring that it is used for no other purpose.

The rent increase for those living in temporary accommodation will have a positive impact due to the increase in revenue to fund temporary accommodation and homelessness services.

The increase in service charges for social rent tenants will have a positive impact on those tenants as it will ensure the continued supply of these services.

6. Cumulative impact²⁰

Considering what else is happening within the council and Barnet could your proposal contribute to a cumulative impact on groups with protected characteristics?

Yes No

If you clicked the Yes box, which groups with protected characteristics could be affected and what is the potential impact? Include details in the space below

It is inevitable that all tenants irrespective of tenure will be affected by these proposed rent increases, but it is not envisaged any tenant with a protected characteristic will be unduly affected as a result of having that protected characteristic. The rent increase proposals come at a time when UK households are broadly affected by an anticipated squeeze on incomes, including higher food costs with prices for food and non-alcoholic beverages rising 14.6% over the year to September 2022, energy price increases of 54% in April 2022, 27% in October 2022, and a further 20% in April 2023, and fuel costs set to increase by 23% from March 2023. All of these impacts are likely to more greatly affect households that are already experiencing socio-economic disadvantage.

However, the proposed rent increases will also have a positive impact upon the households affected due to the rental income to the HRA funding the provision of housing services and ensuring the delivery of fire safety works and property maintenance works, in addition to the development and acquisition of more affordable housing within the borough, and due to the rental income to the General Fund ensuring the provision of temporary accommodation and homelessness services. Without an increase in revenue, it will not be possible to deliver essential safety works or environmental sustainability improvements.

Barnet Homes, the council's Arms-Length Management Organisation, recognises the potential impact and the risk that increasing the service charges will make it more difficult for tenants to pay and impact adversely on the HRA Business Plan by making service charge collection more difficult. This is considered to be a low risk as for most tenants, Housing Benefit or Universal Credit will continue to cover the costs, including the costs relating to grounds maintenance.

There is also a risk that increasing rental charges will make it more difficult for tenants to pay and impact adversely on the HRA Business Plan by making rent collection more difficult and increasing rent arrears. Of all council tenants, 69.8% are currently in receipt of either full or partial Housing Benefit or the housing element of Universal Credit, and of all clients living in temporary accommodation, 81.6% are currently in receipt of either full or partial Housing Benefit or the housing element of Universal Credit; and as such we do not expect the majority of individuals to be directly affected by any increase to the rental charge.

Barnet Homes will work with all tenants who may suffer financial hardship during the course of their tenancy at the earliest opportunity to mitigate the risk to both the individual and the council. We will ensure the appropriate advice and support is given, and work with key partners within the borough to support them and avoid them getting into rent arrears or financial difficulty. For those affected, Barnet Homes provides services to manage the range of demands from council tenants and temporary accommodation clients, including income maximisation and tenancy sustainment. A range of operational mitigations are in place regarding the risk to rent collection, including those indicated in table 7 of this EIA.

7. Actions to mitigate or remove negative impact

Only complete this section if your proposals may have a negative impact on groups with protected characteristics. These need to be included in the relevant service plan for mainstreaming and performance management purposes.

Group affected	Potential negative impact	Mitigation measures ²¹ <i>If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation.</i>	Monitoring ²² <i>How will you assess whether these measures are successfully mitigating the impact?</i>	Deadline date	Lead Officer
All (with some over-representation as indicated regarding age, disability, race, religion and belief, and gender)	Although rental charges are applied to properties and not people there is a risk that increasing the rents and service charges will make it more difficult for tenants to pay.	For those affected, Barnet Homes provides services to manage the range of demands from council tenants and temporary accommodation clients, including income maximisation and tenancy sustainment. A range of operational mitigations are in place regarding the risk to rent collection, including:	Barnet Homes' Income officers using specialist monitoring systems will monitor customer accounts to identify any customers getting into arrears at the earliest opportunity. We will work with our business intelligence team to identify any trends in specific demographics.	Ongoing	Greg Terefenko, Head of Housing Management (Barnet Homes)

	<p>This is considered to be a low risk as for most tenants, Housing Benefit or Universal Credit will continue to cover the costs, including the costs relating to grounds maintenance.</p> <p>The potential longer-term consequences for those who will be negatively impacted include rent arrears and the threat of being made homeless.</p>	<ul style="list-style-type: none"> • Raising tenant awareness of their benefit entitlement and supporting them to receive the maximum financial support available depending on their individual circumstances, including accessing as appropriate Discretionary Housing Payments, Council Tax support, Council Tax discretionary relief, Council Tax severe mental impairment exemption, Resident Support Fund, the Mayor’s Benevolent Fund, DWP Universal Credit direct housing payments, and DWP Budgeting Loan ; • Referring tenants in need of further assistance to in-house support services where appropriate, including specialist welfare benefit advisors who can help signpost tenants and help them to maximise their benefits; • Income Collection Service trained on supporting people with financial difficulties, including training from the Credit Union which officers may promote to tenants; • Early intervention work in partnership with the Department of Work and Pensions to support tenants at risk of or in rent arrears; 	<p>Should any be identified we will carry out a targeted campaign to support and mitigate any increase in arrears.</p> <p>We will continue to work with colleagues from across the sector to share best practice and working methods to support our customers.</p>		
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		<ul style="list-style-type: none"> • Working in partnership with the JobCentre Plus, Barnet and Southgate College, and local community organisations through the BOOST service which assists unemployed residents in local areas to find work, and provides housing support, benefits advice, and training opportunities, including support with digital inclusion and improving tenants’ digital capacity; • Working in partnership with Family Services Welfare Benefit Advisers where those in difficulty have children; • Provision of floating support services to provide practical assistance and support to help people maintain their homes and their independence; • Allocation of foodbank vouchers; • Access to The Barnet Group’s £40k Innovation Fund, which is available to staff to promote innovative solutions and projects. Successful bids include securing investment in training webinars and financial inclusion/awareness for residents to help those who are experiencing financial difficulty; 			
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		<ul style="list-style-type: none"> • Advice on and incentives to encourage downsizing to a smaller property, where this is possible; • Social value investment from Barnet Homes' contractors to help fund projects and activities that will benefit communities and residents who are in need; and • Implementation of a Sustainable Tenancies Strategy to target early intervention and support for those in most need and maximise income collection. <p>Barnet has also been allocated £80k in Homelessness Prevention Grant to be spent on preventing private tenants from becoming homeless and £80k from the Household Support Fund which may be used to support households, for example, through small grants to meet daily needs such as food, clothing, and utilities; whilst this funding currently must be spent by March 2023, it will assist those currently under financial pressure to sustain their tenancies and is likely to have a sustained impact on household finances into 2022/23.</p>			
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		<p>There will also be robust communications regarding the rent increase and service charge increase, including informing all tenants in February 2022 including what they need to pay, providing tenants with an explanation of the rent increase and targeted offers of support as required, and informing frontline staff of the increases in order to manage enquiries.</p> <p>Additional support is available from the council in response to the cost of living crisis, which tenants may benefit from, including:</p> <ul style="list-style-type: none"> • £240k Community Innovation Fund for voluntary and community projects; • Warm Spaces Scheme; • Signposting to food banks; • Signposting to support services and charities; • Free 12-month fibre broadband offer; • Signposting to government schemes including the Energy Bills Support Scheme, Cold Weather Payments, Winter Fuel Payments, social tariffs, and Cost of Living Payments. 			
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8. Outcome of the Equalities Impact Assessment (EqIA)²³

Please select one of the following four outcomes

Proceed with no changes

The EqIA has not identified any potential for a disproportionate impact and all opportunities to advance equality of opportunity are being addressed

Proceed with adjustments

Adjustments are required to remove/mitigate negative impacts identified by the assessment

Negative impact but proceed anyway

This EqIA has identified negative impacts that are not possible to mitigate. However, it is still reasonable to continue with the activity. Outline the reasons for this and the information used to reach this decision in the space below

Do not proceed

This EqIA has identified negative impacts that cannot be mitigated and it is not possible to continue. Outline the reasons for this and the information used to reach this decision in the space below

Reasons for decision

From the perspective of the tenant, the rent and service charge increase will be viewed as having an adverse impact. The Equality Impact Assessment is undertaken from this perspective and has been assessed as not having a disproportionate adverse effect on any specific group.

The proposed increase of 7% from 1 April 2023 will result in an average weekly increase of £8.30 in council social rents; this will make the average weekly rent in the borough £127.05. The proposed increase of 7% from 1 April 2023 will result in an average weekly increase of £16.04 in council Affordable Rents, making the average weekly rent £245.16. The proposed increase of 7% from 1 April 2023 for all temporary accommodation properties that are currently being charged below the LHA level will result in an average weekly increase of £23.23 in temporary accommodation rents, making the average weekly rent

£355.14. Due to the LHA cap, the average rent increase applied to the affected temporary accommodation properties will be 5.07%. Following the rent increase, 164 TA properties' rents would remain below the April 2020 LHA rate.

The actual amount of increase will vary across property sizes for all tenures. Larger properties will see a greater increase in £ than smaller properties due to the higher rents.

The rent increase is applied to all council dwellings and all temporary accommodation properties that are currently charged below the Local Housing Allowance rate. Following the increase, 30.9% of temporary accommodation tenants affected will continue to pay a weekly rent below LHA. Based on the proposed approach, 366 of the 530 properties would be uplifted to the applicable April 2020 LHA rate; 164 properties would have their rents increased by 7% but would remain below the applicable April 2020 LHA rate.

The rent increase is applied to the property in that it has no bearing on the profile of the tenants, age, race, gender, or any other protected characteristic. The rent increase does not target or disproportionately affect any group of people based on the protected characteristics, although some sub-groups will be disproportionately affected due to their prevalence within the population.

The increase will also have more of an impact on households on lower incomes. Tenants on low incomes are able to obtain Housing Benefit (HB) or the Universal Credit (UC) housing element to assist with rent payments. Just under 70% of council tenants are in receipt of HB or the UC housing element, with approximately 28% receiving the full allowance and approximately 13% receiving partial, and a further 29% of tenants receiving UC. Within temporary accommodation, just under 82% of tenants are in receipt of HB (64.5%) or the UC housing element (17.5%).

Barnet Homes will need to ensure that those council tenants and TA tenants who will be affected are given appropriate advice and support to help them avoid rent arrears and financial hardship. Informing tenants well in advance of the rent increase will help them to budget effectively and make informed and independent choices.

Barnet Homes and the council are also in a position to assist tenants with identifying additional income sources to help mitigate the impact. This can include welfare benefits advice for income maximisation, applications for discretionary payments and funding, referrals to floating support services and other specialist services, and making tenants aware that they can access independent financial and housing advice. Furthermore, the Housing Options service operates an under-occupation scheme through which social housing tenants with spare bedrooms may receive financial incentives and other assistance when downsizing to a suitably-sized property.

It should be noted that all rent levels will remain well below both market rent and the potential 'Affordable Rent' (which may be set at 80% of market rent) and at or below the Local Housing Allowance (LHA) level for the borough. The LHA is the maximum amount payable through Housing Benefit or the housing element of Universal Credit. In addition, Barnet Homes' in-house Income Collection Service takes a proactive, supportive approach to preventing rent arrears and offering financial inclusion through money advice, referrals for support, and assistance in maximising income (through benefit claims, or advice on management of other debts, for example).

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Sign-off

9. Sign off and approval by Head of Service / Strategic lead ²⁴	
Name Shaun McLean	Job title Group Director of Resources, Barnet Homes
<input checked="" type="checkbox"/> Tick this box to indicate that you have approved this EqIA	Date of approval: 14/12/22
<input type="checkbox"/> Tick this box to indicate if EqIA has been published Date EqIA was published: Embed link to published EqIA:	Date of next review: Nov 2023

Footnotes: guidance for completing the EqIA template

¹ The following principles explain what we must do to fulfil our duties under the Equality Act when considering any new policy or change to services. They must all be met or the EqIA (and any decision based on it) may be open to challenge:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately
- **Timeliness:** the duty applies at the time of considering proposals and before a final decision is taken
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and must influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that anyone who provides services on our behalf complies with the equality duty.
- **Review:** the equality duty is a continuing duty – it continues after proposals are implemented/reviewed.
- **Proper Record Keeping:** we must keep records of the process and the impacts identified.

² Our duties under the Equality Act 2010

The council has a legal duty under this Act to show that we have identified and considered the impact and potential impact of our activities on all people with ‘protected characteristics’ (see end notes 9-19 for details of the nine protected characteristics). This applies to policies, services (including commissioned services), and our employees.

We use this template to do this and evidence our consideration. You must give ‘due regard’ (pay conscious attention) to the need to:

- **Avoid, reduce or minimise negative impact:** if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately.
- **Promote equality of opportunity:** by
 - Removing or minimising disadvantages suffered by people with a protected characteristic
 - Taking steps to meet the needs of these groups
 - Encouraging people with protected characteristics to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who don’t:** e.g. by promoting understanding.

³ EqIAs should always be proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The size of the likely impact – e.g. the numbers of people affected and their vulnerability

The greater the potential adverse impact of the proposal on a protected group (e.g. disabled people) and the more vulnerable the group is, the more thorough and demanding the process required by the Act will be. Unless they contain sensitive data – EqIAs are public documents. They are published with Cabinet papers, Panel papers and public consultations. They are available on request.

⁴ When to complete an EqIA:

- When developing a new policy, strategy, or service
- When reviewing an existing service, policy or strategy

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- When making changes that will affect front-line services
 - When amending budgets which may affect front-line services
 - When changing the way services are funded and this may impact the quality of the service and who can access it
 - When making a decision that could have a different impact on different groups of people
 - When making staff redundant or changing their roles

Wherever possible, build the EqIA into your usual planning and review processes.

Also consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people who will be affected?

If there are potential impacts on people but you decide not to complete an EqIA you should document your reasons why.

⁵ **Title of EqIA:** This should clearly explain what service / policy / strategy / change you are assessing.

⁶ **Focus of EqIA:** A member of the public should have a good understanding of the proposals being assessed by the EqIA after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EqIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the proposed change?
- Who implements, carries out or delivers the service or function in the proposal? Please state where this is more than one person or group, and where other organisations deliver it under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the service, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? E.g.: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the service tell you?
- What is the reason for the proposed change (financial, service, legal etc)? The Act requires us to make these clear.

⁷ **Data & Information:** Your EqIA needs to be informed by data. You should consider the following:

- What data is relevant to the impact on protected groups is available? (is there an existing EqIA?, local service data, national data, community data, similar proposal in another local authority).
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you know from service/local data about needs, access and outcomes? Focus on each characteristic in turn.
- What might any local demographic changes or trends mean for the service or function? Also consider national data if appropriate.
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any group(s)?

-
- Is the service having a positive or negative effect on particular people or groups in the community?

⁸ What have people told you about the service, function, area?

- Use service user feedback, complaints, audits
- Conduct specific consultation or engagement and use the results
- Are there patterns or differences in what people from different groups tell you?
- Remember, you must consult appropriately and in an inclusive way with those likely to be affected to fulfil the equality duty.
- You can read LBB [Consultation and Engagement toolkit](#) for full advice or contact the Consultation and Research Manager, rosie.evangelou@barnet.gov.uk for further advise

⁹ **Age:** People of all ages, but consider in particular children and young people, older people and carers, looked after children and young people leaving care. Also consider working age people.

¹⁰ **Disability:** When looking at disability, consideration should be given to people with different types of impairments: physical (including mobility), learning, aural or sensory (including hearing and vision impairment), visible and non-visible impairment. Consideration should also be given to: people with HIV, people with mental health needs and people with drug and alcohol problems. People with conditions such as diabetes and cancer and some other health conditions also have protection under the Equality Act 2010.

¹¹ **Gender Reassignment:** In the Act, a transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected. Consider transgender people, transsexual people and transvestites.

¹² **Marriage and Civil Partnership:** consider married people and civil partners.

¹³ **Pregnancy and Maternity:** When looking at pregnancy and maternity, give consideration to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes, women on maternity leave and 'keeping in touch' days.

¹⁴ **Race/Ethnicity:** Apart from the common ethnic groups, consideration should also be given to Traveller communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers and speakers of other languages.

¹⁵ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. As a minimum you should consider the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical beliefs.

¹⁶ **Sex/Gender:** Consider girls and women, boys and men, married people, civil partners, part-time workers, carers (both of children with disabilities and older cares), parents (mothers and fathers), in particular lone parents and parents on low incomes.

¹⁷ **Sexual Orientation:** The Act protects bisexual, heterosexual, gay and lesbian people.

¹⁸ **Other relevant groups:** You should consider the impact on our service users in other related areas.

¹⁹ **Impact:** Your EqIA must consider fully and properly actual and potential impacts against each protected characteristic:

- The equality duty does not stop changes, but means we must fully consider and address the anticipated impacts on people.
- Be accurate and transparent, but also realistic: don't exaggerate speculative risks and negative impacts.

-
- Be detailed and specific where you can so decision-makers have a concrete sense of potential effects.
 - Questions to ask when assessing whether and how the proposals impact on service users, staff and the wider community:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake of a service among different groups? Which, and to what extent?
 - Does the project relate to an area with known inequalities (where national evidence or previous research is available)?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims?
 - Do the effects amount to unlawful discrimination? If so the plan **must** be modified.
 - Does it relate to an area where equality objectives have been set by LBB in our [Barnet 2024 Plan](#) and our [Strategic Equality Objective](#)?

²⁰ **Cumulative Impact**

You will need to look at whether a single decision or series of decisions might have a greater negative impact on a specific group and at ways in which negative impacts across the council might be minimised or avoided.

²¹ **Mitigating actions**

- Consider mitigating actions that specifically address the impacts you've identified and show how they will remove, reduce or avoid any negative impacts
- Explain clearly what any mitigating measures are, and the extent to which you think they will reduce or remove the adverse effect
- Will you need to communicate or provide services in different ways for different groups in order to create a 'level playing field'?
- State how you can maximise any positive impacts or advance equality of opportunity.
- If you do not have sufficient equality information, state how you can fill the gaps.

²² **Monitoring:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further monitoring, equality assessment, and consultation are needed.

²³ **Outcome:**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Also explain what positive impacts will result from the actions and how you can make the most of these.
- Make it clear if a change is needed to the proposal itself. Is further engagement, research or monitoring needed?
- Make it clear if, as a result of the analysis, the policy/proposal should be stopped.

²⁴ **Sign off:** You will need to ensure the EqIA is signed off by your Head of Service, agree whether the EqIA will be published, and agree when the next review date for the EqIA will be.



Housing and Growth Committee Tuesday 17 January 2023

Title	164-168 Cricklewood Broadway – Outline Business Case for Cricklewood Junction Project
Report of	Chair, Housing and Growth Committee
Wards	Cricklewood
Status	
Urgent	<i>No</i>
Key	Yes
Enclosures	Appendix 1 – Cricklewood Junction Project Outline Business Case
Officer Contact Details	Jamie Robinson, Head of Economic Development, Jamie.Robinson@Barnet.gov.uk Ravinder Dhanjal, Town Centre Investment Manager, Ravinder.Dhanjal@Barnet.gov.uk

Summary

This paper presents a project called “Cricklewood Junction Project” that has the potential to significantly enhance Cricklewood Town Centre. It is based on consultation and engagement with local businesses and residents and will directly address what is currently considered a highly visible and problematic site within the area.

164-168 Cricklewood Broadway is a 184 sqm site located in Cricklewood Town Centre, one of the London Borough of Barnet’s seven main town centres.

The site occupies a prominent location on the junction of the A5, where Cricklewood Broadway meets the A407 Cricklewood Lane. Formerly addressed as 2B Cricklewood Lane, the site is now known as 164-168 Cricklewood Lane following demolition of the

existing building and reconfiguration of the highway to remove a 'dog leg' junction and support better traffic flow. The site is currently surrounded by metal palisade fencing.

The site sits within the boundaries of the Brent Cross Cricklewood scheme, which will see the development of a sustainable town centre, shopping centre, new Thameslink station and improved community and public facilities across 151 hectares.

Following demolition works, a propping structure was erected to support no. 164 Cricklewood Broadway, a privately-owned neighbouring building. This propping structure is owned by LBB, with an expected lifespan of five years from its establishment and takes up a large part of the site's footprint.

The existing site is an underutilised area in a key part of the high street, with the existing propping system unappealing to the eye. The Council retains an obligation to ensure the ongoing safety of the structural system, which is accompanied by significant revenue costs.

The Cricklewood Junction project therefore aims to establish a long-term use for this site, which provides value to local residents and businesses, and complements wider redevelopment works.

Feasibility studies undertaken earlier in 2022 reviewed options for the site and determined a preferred use for the site. The studies' outputs included:

- An initial options appraisal, which included stakeholder and community engagement, desktop analysis of the site and its surroundings to determine an appropriate use
- A design for the scheme to RIBA Stage 2, including a permanent propping structure to house commercial/retail units, plus external seating, landscaping and greening
- Externally-validated capital costs for the scheme, including contingency
- Independent forecasts for potential income/expenditure associated with the leasing and operation of the site's commercial units

This information has subsequently been utilised to develop an Outline Business Case, outlining justification for the development and operation of the design in question.

Housing and Growth Committee is therefore requested to approve this Outline Business Case for the Cricklewood Junction Project, as well as associated recommendations for planning, procurement and further cost analysis.

Officers' Recommendations

- 1. Housing and Growth Committee is requested to consider and approve the Outline Business Case (OBC) for 164-168 Cricklewood Broadway (Cricklewood Junction Project) as set out in Appendix 1 to this report.**
- 2. Housing and Growth Committee to note the funding strategy outlined within the Outline Business Case (Appendix 1) and approve the allocation of £1.25m**

capital funding from the Town Centres Capital Fund to deliver the Cricklewood Junction Project as set out in paragraphs 5.6-5.20 of this report.

3. Housing and Growth Committee delegates authority to the Director of Growth to approve the Full Business Case, when completed, in accordance with the Council's internal governance and assurance processes.

4. Housing and Growth Committee delegates authority to the Director of Growth to proceed with planning application(s) associated with the project in accordance with the Council's internal governance and assurance processes.

5. Housing and Growth Committee delegates authority to the Director of Growth to commence the procurement workstreams for design, construction and operation of the proposed units, in accordance with the Council's Contract Procedure Rules.

1. WHY THIS REPORT IS NEEDED

BACKGROUND

- 1.1 In recent years, the Council has undertaken a programme of investment work in the borough's seven main town centres, including Cricklewood. As part of these works, the structure formerly known as 2B Cricklewood Lane was demolished to enable improvements to the adjacent junction. A map of the area is shown below, with the red indicating the site's position within the context of Cricklewood.

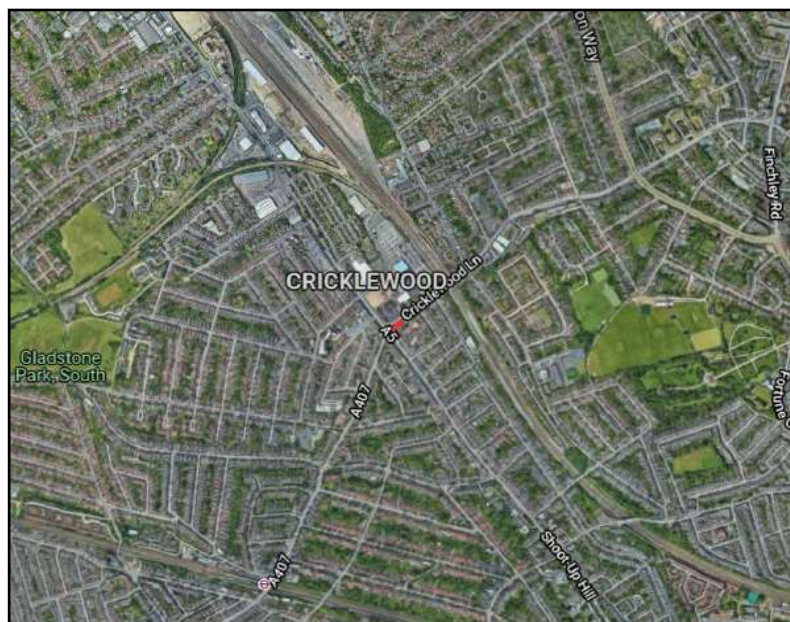


Figure 1: Map of Cricklewood showing site location

- 1.2 Now known as 164-168 Cricklewood Broadway, the site is a 184m² area occupying a prominent location on the junction of the A5, where Cricklewood Broadway meets the A407 Cricklewood Lane. It is currently surrounded by metal palisade fencing, and a temporary propping structure was erected in 2021 to support the neighbouring

structure, which is privately owned. This structure is owned by LBB and has an expected lifespan of five years.

- 1.3 The existing propping system is unappealing to the eye, and the Council retain an obligation to ensure the ongoing safety of the structural system, which is accompanied by revenue costs. An image of the site's current status is shown below.



Figure 2: Current propping system at site

- 1.4 The town centres investment programme aims to diversify the role of town centres, encouraging a broad mix of uses and building an environment in which businesses can succeed. Given its high-profile location and proximity to the Brent Cross Cricklewood regeneration programme, 164-168 Cricklewood Broadway was identified as a potential contributor to these aims.
- 1.5 The project therefore aims to establish a long-term use for this site, which will provide value to local residents and businesses, and complements the redevelopment works being undertaken to the wider town centre and existing highway.
- 1.6 The solution will need to be visually appealing, affordable to both deliver and manage, and make a positive contribution to the local area in a number of ways, including environmental, economic and social value. These objectives are defined further within the Outline Business Case document.

FEASIBILITY STUDIES AND OBC DEVELOPMENT

RIBA Stage 1

- 1.7 In early 2022, the Council commissioned Erect Architecture to undertake a RIBA Stage 1 Feasibility Study; this included a full analysis of the plot, its constraints and opportunities.
- 1.8 The study found that the site is well-connected by road and rail, with the highest Public Transport Accessibility Rating of 6a. However, it is poorly connected to cycle routes and other car-free routes within the area. Analysis also found that there is

a lack of quality greenspace and public realm within Cricklewood Town Centre: the nearest public park is over a mile away, and there is little civic space in the near vicinity.

- 1.9 In planning terms, the area has been identified as a major Opportunity Area, sitting within the Brent Cross and Cricklewood regeneration area. The Local Plan includes specific references to the area's night-time economy, and Policy CS6 explicitly states the importance of public realm improvements in supporting local retail.
- 1.10 The site is also located within an Air Quality Management Area (AQMA) that has been designated by the Council for exposure to exceedances of annual mean objectives for nitrogen dioxide and particulate matter.
- 1.11 The initial feasibility study outlined the key benefits of green spaces, including environmental, health and well-being, social and economic benefits. These are outlined in greater detail within Appendix 1.
- 1.12 This first feasibility report concluded with a number of examples and precedents, covering parklets and innovative commercial/retail design solutions that minimise the visual impact of temporary propping systems.
- 1.13 The report's outcome was a decision to proceed with a "parade" design approach, in which a permanent propping structure supports the neighbouring building whilst housing micro-businesses with supporting planting, paving and seating.

RIBA Stage 2

- 1.14 In summer 2022, the Council commissioned Jan Kattein Architects (JKA) to further develop the feasibility work and produce a RIBA Stage 2 report that would support the development of an outline business case.
- 1.15 The commissioned team included architects, structural engineers and cost consultants, tasked with developing and presenting three options that would meet the needs outlined earlier in this report.
- 1.16 The options presented were based upon a mix of commercial/retail space, greening, soft and hard landscaping, and other features such as seating, space for events and varying degrees of design flexibility. The balance of these priorities was adjusted in each option, presenting a range of options to officers, members and residents.
- 1.17 The initial designs were subsequently shared with members of the local community, officers and members. These options and the chosen design are explored further in Appendix 1 and later in this report itself.
- 1.18 A preferred design option was subsequently chosen following consultation with the public, officers and local resident groups which maximises public space and greening, whilst affording space to leasing to small and medium-sized enterprise. This recommended design option is shown at Figure 3 below.



Figure 3: Architect's impression of chosen design approach

2. RECOMMENDED OPTION AND REASONS FOR RECOMMENDATIONS

- 2.1 The recommended option proposes the erection of a wide, inhabitable propping structure, maximising usable space within. This buttressing would allow people to walk beneath the structure and can be used to integrate high-level planting and climbers.
- 2.2 This would maximise the inhabitability of the narrowest area of the site, unlocking opportunities for further greening and mature trees in the wider area. The structure can be subdivided to delineate space for traders at a variety of scales. In all, there would be capacity for 4 to 5 micro-business plots.
- 2.3 The design prioritises high-quality public realm and greening, providing most flexibility to integrate mature trees and sustainable drainage. Space has been provided for 12 trees with broad canopies, offering maximum pollution mitigation.
- 2.4 The structure itself is self-stable and not reliant on the party wall between the Council's site and the neighbouring property for structural support. The approach provides a sense of permanence whilst maximising space for quality greening, a unique vista and a local landmark for the area.
- 2.5 The space can be locked in the evening to prevent loitering. Long views into the site are enabled and glazed frontages remain a possibility to discourage any anti-social behaviour. Further efforts to design out ASB will be undertaken as part of RIBA Stage 3, alongside colleagues in the Community Safety team and Metropolitan Police.
- 2.6 The ways in which this option meets the Council's strategic priorities are outlined in Section 5 (Implications of Decision) of this report, including both the corporate plan and the Council's Growth Strategy.
- 2.7 For further information on the social and environmental benefits, please see Section 5 (Implications of Decision). In short, the recommended option provides space for

social cohesion through events and informal engagement, as well as a range of environmental benefits through planting and greening, and the potential introduction of cycle parking/storage.

- 2.8 For detail on the commercial and financial implications of the recommended option, please refer to Section 5 (Implications of Decision). The design offers an affordable build in terms of capital cost, whilst presenting opportunities for revenue to be generated for the Council through the leasing of the units. The designs have been initially costed by an external, professional team of cost consultants and the commercial elements have been independently verified by local property experts.
- 2.9 In terms of deliverability, the design allows for the permanent propping to replace the existing, temporary structure through appropriate phasing, i.e. being design to thread through the existing before removal.
- 2.10 Designs for the recommended option have been reviewed by planning officers as part of the formal pre-application process.
- 2.11 The report, issued in December 2022, confirmed support for the principle of the development, stating that the proposals 'will go some way to help replace the previous commercial units that have been demolished as well as provide a degree of activity to the site on this busy corner location, which will help contribute to the vitality of the high street and town centre'.
- 2.12 Further detail around the benefits for this option can be found within Appendix 1.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 As part of the Outline Business Case development, a range of options were considered but are not recommended for approval by Housing and Growth Committee. These are outlined in this section of the report.
- 3.2 The site is currently hoarded by metal palisade fencing, restricting public access. This ensures safety of the public as well as the structural integrity of the neighbouring building. In theory, the Council could choose to leave the site as is and simply maintain the current setup for the short-term. This option would involve limited capital outlay.
- 3.3 However, there is an ongoing cost to maintaining the existing propping system, including significant renewal following the expiry of the current five-year life cycle.
- 3.4 There is significant public opposition to the visual appearance of the system, and its impact on town centre aesthetics.
- 3.5 This would present a lack of long-term solution for an underutilised site which does not contribute to any of Barnet's goals and objectives for the Borough.
- 3.6 Officers previously considered a more comprehensive redevelopment option in terms of using the entirety of the site for commercial, housing or a larger retail option.
- 3.7 Potential benefits would include greater income through leasing of office space or sale of private housing. This would also present a permanent solution without the need for any propping system.

- 3.8 However, this would require significant capital investment with greater risk attached, with limited budget currently available.
- 3.9 Timescales for delivery would also be significantly lengthened and potentially prohibitive when considering the five-year limit on the temporary propping structure. Significant approvals would be required in planning terms.
- 3.10 There would also be significant and lengthy disruption to a key junction within the Cricklewood area, which is a major bus route. A smaller-scale development would allow this risk to be managed effectively.
- 3.11 Finally, this option would offer limited contribution in terms of sustainability, air pollution or contribution to the area's retail offering.
- 3.12 Before finalising the Stage 2 design, JKA considered other design approaches but these are not recommended on the basis of environmental, financial and aesthetic considerations.
- 3.13 These other designs and their strengths/limitations are explored more thoroughly within the JKA report and Appendix 1.

4. POST-DECISION IMPLEMENTATION

- 4.1 If approval of this committee report and its recommendations are granted, the following tasks will be undertaken:
- 4.2 A procurement process for the design works associated with RIBA Stage 3 will be undertaken, determining the appointment of architecture and other professional services required to ready the scheme's design for a full planning application.
- 4.3 Further consultation around this developed design will be undertaken with the public, including residents and businesses, as well as members to ensure all views are considered ahead of any planning application.
- 4.4 A planning application would then be submitted according to delegated approval provided by this report. This would follow an internal Gateway process to ensure officers have ample opportunity to sign-off the design.
- 4.5 A tender exercise would then be undertaken to source and appoint a main contractor to undertake the works themselves. This would be managed according to the Council's Contract Procedure Rules and appointment would be subject to delegated approval by those authorised through this report. The potential for this exercise to be undertaken prior to planning permission being granted will be explored by the project and procurement team in order to meet timescales outlined below.
- 4.6 Works themselves are currently forecast to begin in mid-2023 and take around six months to complete. During this period, work will be ongoing to market the units themselves, draft appropriate leases and enter into agreements with tenants. This will be carried out in conjunction with the Council's legal and estates teams.
- 4.7 These timelines are outlined further below and are subject to change according to external dependencies. It should be noted that these are stretch targets and

represent the project team’s aim for delivery without significant or unforeseen setbacks.

Milestone	Timescale
Approval of Outline Business Case	January 2023
Appointment of Stage 3 design team	January 2023
Further consultation, including naming the new site	February/March 2023
Submission of planning application	March 2023
Appoint D&B contractor	May 2023
Works commence on site	July 2023
Tenants and leases finalised	October 2023
Works on site complete	December 2023

Table 1: Indicative milestones and timescales

5. IMPLICATIONS OF DECISION

Strategic priorities

- 5.1 The recommended approach supports the Council’s stated aims and priorities in a number of ways. These are set out below and are in line with the Council’s priorities and Strategy.
- 5.2 The scheme will be co-developed with the local community, businesses, members and other stakeholders. Further detail is included in the Consultation and Engagement section 5 of this report.
- 5.3 The scheme will also be a key contributor in terms of sustainability. Further detail is included in the Environmental Value section of this report, but the scheme offers positive contributions in terms of planting, clean air and pollution mitigation.
- 5.4 Finally, it aims to improve Cricklewood’s town centre and Barnet’s local economy. This will be through creation of space appropriate for local, small businesses, plus improvement to aesthetics of a high-profile town centre space.
- 5.5 The project also meets many of the goals included in the Council’s Growth Strategy, supporting the growing number of new homes in the borough with improved infrastructure, new jobs and public realm. The scheme also encourages healthier street design, ensuring town centres are increasingly cycle and pedestrian-friendly. The introduction of space of micro-businesses offers entrepreneurial advantages, supports high-street retail and creates an environment in which local town centres can succeed. These are explored in further detail within Appendix 1.

Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.6 As part of the RIBA 2 Feasibility Study, external consultants provided cost estimates for the design provided by architects and structural engineers. Note that these are initial costs and will require ongoing monitoring through Gateways, Capital Strategy Board and other internal processes.
- 5.7 The headline capital cost for the total scheme is outlined below.

Activity	Cost
Works	£453,000
Contractor prelims (20%)	£90,600
Contractor OAP (10%)	£54,360
Design fees and surveys (15% + 5%)	£119,592
Risk / contingency (15%)	£107,633
LBB staff costs (based on previous schemes)	£75,000
Additional technical assurance	£20,000
Optimism bias (40% of works)	£330,000
GRAND TOTAL	£1,250,185

Table 3: Headline capital costs

- 5.8 In line with Council experience of capital schemes, an additional fee has been included to cover Barnet's project management costs, technical assurance to ensure quality of design and construction elements, as well as a degree of optimism bias. Costs are currently being incurred for the maintenance and inspections of the existing temporary propping structure – these will be monitored and accounted for as part of the Full Business Case.
- 5.9 The figure for optimism bias has been calculated based on the guidance provided by central government in the Green Book for business case development. A figure of 40 per cent is suggested at outline business case stage for projects of this type. This will be reviewed further at Full Business Case stage. Further modelling will be undertaken at that stage.
- 5.10 The total figure is to be allocated from the Town Centres Investment Programme budget, as previously approved by Policy and Resources Committee in July 2021. As part of these approvals, £23.5m was allocated for town centres projects from the Strategic Community Infrastructure Levy fund.
- 5.11 The primary objective of the project is to improve the town centre by making a positive contribution to community, economic and social value. The Council is uniquely placed to be able to deliver such a project. That said, the project does have the potential to generate revenue for the council as an additional benefit. Potential income figures are included in Table 4 below. These are based on local benchmarking and assume that tenants would be brought in directly by the Council.

Kiosk	Area / SQM	People / Unit	Income PCM	Income Annual
1	7	2	£244.52	£2,934.24
2	20	2	£698.63	£8,363.54
3	20	2	£698.63	£8,363.54
4	7	2	£244.52	£2,934.24
TOTALS	54	8	£1,886.30	£22,635.57

Table 4: Potential income per annum

- 5.12 Due to the kiosks' size, the intention is for the units to be aimed at small and medium-sized enterprise, generating a modest rate affordable to new and local

businesses. The Council may also decide to let all or some of the space free-of-charge to start-up businesses.

5.13 Operational cost estimates are provided below at Table 5.

Lighting maintenance	£5,120
Tree maintenance (large)	£2,500
Tree maintenance (small)	£1,050
Planter maintenance	Included in kiosk lease agreements
Waste collection (daily)	£5,475
Electricity – Public (lighting etc)	£166.56
Business rates (possible exemption)	Included in kiosk lease agreements
Kiosks – water	Included in kiosk lease agreements
Kiosks – electricity	Included in kiosk lease agreements
ANNUAL TOTAL	£14,311.56

- 5.14 Potential revenue and operational costs were estimated using available information by the appointed architects. These were then verified by Churchill and Partners, a London-based firm with expertise in the local commercial property market.
- 5.15 Churchill & Partners offered a range of advice in relation to the scheme’s proposed units, including their design, leasing arrangements and lease values. Most importantly it was suggested that the above figures are modest, and a far greater sum (in excess of £50k a year) can be commanded.
- 5.16 Relevant approvals will be required at each stage ahead of confirmation of works contracts or the letting of units. A Full Business Case will be developed which will build upon this initial work, for approval through Capital Strategy Board and the Council’s internal Gateway process. Further work will include review of void cost considerations, and ongoing engagement with the Council’s Estates team to review.
- 5.17 Capital funds for the scheme have been identified, but work is ongoing to identify potential external opportunities for additional funding. The project team will continue to pursue these as they arise, and work with relevant teams in the Council to obtain potential funding in the areas of greening and sustainability.
- 5.18 In terms of procurement strategy, appointments for further design work and technical assurance will be made in accordance with the Council’s Contract Procedure Rules. A full tender exercise will likely be required for the works contract and will be managed in accordance with the above and approved in line with the recommendations of this report. LBB’s procurement team will be engaged throughout to provide support and advice.
- 5.19 The Project will be governed through the 164-168 Cricklewood Broadway Project Board, which will in turn report to Town Centres Portfolio Board. These include representation from across the Council and will provide strategic oversight, regular monitoring of project budget and progress, and where decisions/escalations are required report as appropriate.

- 5.20 Updates will be provided to Housing and Growth Committee where relevant, including financial updates should the above budget figures be at risk of being exceeded.

Legal and Constitutional

- 5.21 The Council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships sets out the functions and the Terms of Reference of the Housing and Growth Committee.
- 5.22 These include responsibility for: Regeneration Strategy and Overseeing Major Regeneration Schemes, Asset Management, Development of Council Land, and Economic Development including: Employment Strategy, Business Support and Engagement, and Town Centres. As well as, to receive reports on relevant revenue and capital expenditure, contracts, performance information performance) and risk on the services under the remit of the Committee.
- 5.23 Owners of the neighbouring property have been extensively engaged as part of the Party Wall agreement that exists in relation to the existing temporary propping structure. The Council's legal property team have been instructed to support ongoing discussions regarding future agreements in relation to the permanent works.
- 5.24 Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 requires local authorities to submit planning application(s) in relation to land of interested planning authority and development of that land by them.

Insight

- 5.25 A full description of the extent of information gathered and the insight used to develop and inform the recommended proposal is included separately in Appendix 1. This includes site analysis, footfall data, engagement with residents and local businesses, the design process and subsequent options analysis.

Social Value

- 5.26 The social value of the project is demonstrated in a number of ways, including the following:
- 5.27 Community cohesion will be encouraged through the introduction a of wide open space suitable for events and classes, protected from the road by a tree buffer and one which provides storage space and shading
- 5.28 Anti-social behaviour will be discouraged through limited hindrance of sight-lines, securing overnight space and design features outlined in the Outline Business Case document.
- 5.29 Affordable commercial opportunities will be provided for local start-up businesses and entrepreneurs, including the creation of jobs during development and afterwards. The Council has already engaged with the Rebel Business School about potential opportunities.

- 5.30 A permeable buffer to the pavement will be created with irregular tree planting and seating, improving the high street's relationship with the junction.

Risk Management

- 5.31 A number of risks associated with the project have been identified.
- 5.32 Risk will be managed according to the Council's Project Management Methodology, and a risk register has been compiled outlining the associated risks. These risks will be continually monitored throughout the project's lifecycle and reported to project board on a monthly basis.
- 5.33 Primary risks relate to cost of construction, relationship with adjacent junction, strength of SME interest in proposed units, and relationship with neighbouring properties.

Equalities and Diversity

- 5.34 The Equalities Act 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies in the exercise of its functions to have due regard to the need to: eliminate discrimination, harassment and victimisation and any other conduct prohibited by the 2010 Act; advance equality of opportunity and to foster good relations, between persons who share a relevant protected characteristic and those who do not share it.
- 5.35 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 5.36 The broad purpose of this duty is to integrate considerations of equality into day-to-day business and keep them under review in decision-making, the design policies and the delivery of services.
- 5.37 An Equalities Impact Assessment will be carried out as part of RIBA Stage 3 works, to assess any impact on residents. Particular attention will be paid to accessibility and ensuring the area will be available for use by all residents.

Corporate Parenting

- 5.38 No impact.

Consultation and Engagement

- 5.39 A range of consultation and engagement exercises have been undertaken by Council officers as part of these feasibility studies.
- 5.40 Prior to Stage 2 design commencing, officers and the appointed architects met with residents and local businesses to discuss their views of the site and its potential long-term use. This included representatives from the Cricklewood Residents' Association and the Cricklewood Town Team.
- 5.41 These groups were re-consulted following design work and the chosen option presented to a positive reception.

- 5.42 Further consultation will be undertaken as part of Stage 3 design work and prior to any planning application. Future engagement is captured within the project's Communications and Engagement Plan, which will be monitored and updated throughout the project's lifecycle. This will include further and final discussions over the area's name ahead of any planning applications.
- 5.43 Engagement will also be undertaken in early 2023 with the owner(s) of the neighbouring property. Work is currently underway to complete works associated with the Party Wall agreement established in relation to the temporary propping structure.

Environmental Impact

- 5.44 The project will have a positive environmental impact. The environmental value of the scheme has been assessed against the United Nations' 17 sustainable development goals as part of the Stage 2 Feasibility Study.
- 5.45 The site will prioritise high-quality green opportunities and ecosystem/biodiversity values, resulting in improved sustainability measures.
- 5.46 Multiple urban greening opportunities will be realised, including an intensive green roof, flower-rich perennial planting, rain gardens, mature trees, climbers and groundcover planting.
- 5.47 Pollution will be mitigated through provision of 12 trees, including mature trees with broad canopies.
- 5.48 Removal of existing propping and installation of long-term solution will represent increased efficiency with materials.

6. BACKGROUND PAPERS

- 6.1 The Outline Business Case document is attached as Appendix 1.
- 6.2 Report on original allocation of SCIL via Policy & Resources Committee, July 2021 (see item 10) [Agenda for Policy and Resources Committee on Tuesday 20th July, 2021, 7.00 pm \(moderngov.co.uk\)](#)

Project Outline Business Case

164-168 Cricklewood Broadway
“Cricklewood Junction”

Name:	<i>Ryan Mann</i>
Job Title	<i>Project Manager – Capital Delivery</i>
Date:	<i>5 January 2023</i>
Service /	<i>Economic Development / Capital Delivery</i>
Directorate:	
Version	<i>1.0</i>

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1. Introduction

Business Drivers

164-168 Cricklewood Broadway is a 184 sq m site located in Cricklewood Town Centre, in the London Borough of Barnet. The site is located approximately 5 miles north-west of Charing Cross. Located at the south-westernmost corner of Barnet, Cricklewood is one of the borough’s seven main town centres and enjoys a diverse mix of retail, leisure and other uses. Cricklewood lies directly on the A5, which forms the boundary between the three boroughs which share Cricklewood – Barnet, Camden and Brent.

The site itself occupies a prominent location on the junction of the A5, where Cricklewood Broadway meets the A407 Cricklewood Lane. Formerly addressed as 2B Cricklewood Lane, the site is now known as 164-168 Cricklewood Lane following demolition of the existing building and reconfiguration of the highway to remove a ‘dog leg’ junction and support better traffic flow. The site is currently surrounded by metal palisade fencing.

The site sits within the boundaries of the Brent Cross Cricklewood scheme, which will see the development of a sustainable town centre, shopping centre, new Thameslink station and improved community and public facilities across 151 hectares.

Following demolition works, a propping structure was erected to support no. 164 Cricklewood Broadway, a neighbouring building currently owned privately. This structure is owned by LBB, with

an expected lifespan of five years from its establishment and takes up a large part of the site's footprint.

The existing site is an underutilised area in a key part of the high street, with the existing propping system unappealing to the eye. The Council retains an obligation to ensure the ongoing safety of the structural system, which is accompanied by significant revenue costs.

The Council is currently undertaking a significant programme of investment in Barnet's town centres, including Cricklewood. This aims to diversify the role of town centres, encouraging a broad mix of uses, delivering new houses and building an environment in which businesses can succeed.

With the latter in mind, a series of public realm improvements are planned across Cricklewood and elsewhere. These plans align with the Barnet Plan's "Thriving" theme, in ensuring that town centres are sustainable and encourage growth. The association with the Brent Cross Cricklewood regeneration programme is outlined in further detail in the section below.

The Cricklewood Junction project therefore aims to establish a long-term use for this site, which provides value to local residents and businesses, and complements the redevelopment works being undertaken to the town centre and existing highways.

The solution will need to be visually appealing, affordable both to deliver and manage, and make a positive contribution to the local area across a number of areas. These are captured as follows:

- Environmental value, including:
 - Urban greening opportunities
 - Pollution mitigation
 - Improved sustainability measures
 - Material efficiency
 - Future structural flexibility
- Social value, including:
 - Sense of place
 - Community cohesion and benefits
 - Provision of public space
 - Job opportunities
 - Permeability and anti-social behaviour preventions
 - Relationship with junction
- Economic value, including:
 - Revenue offer
 - SME affordability
 - Use mix and activation
 - Future development flexibility
- Deliverability, including:
 - Public perception
 - Buildability
 - Ownership and legal constraints
 - Programme risk
 - Planning

This document outlines a business case for the development of the site, considering options and presenting a chosen solution which meets the above objectives.

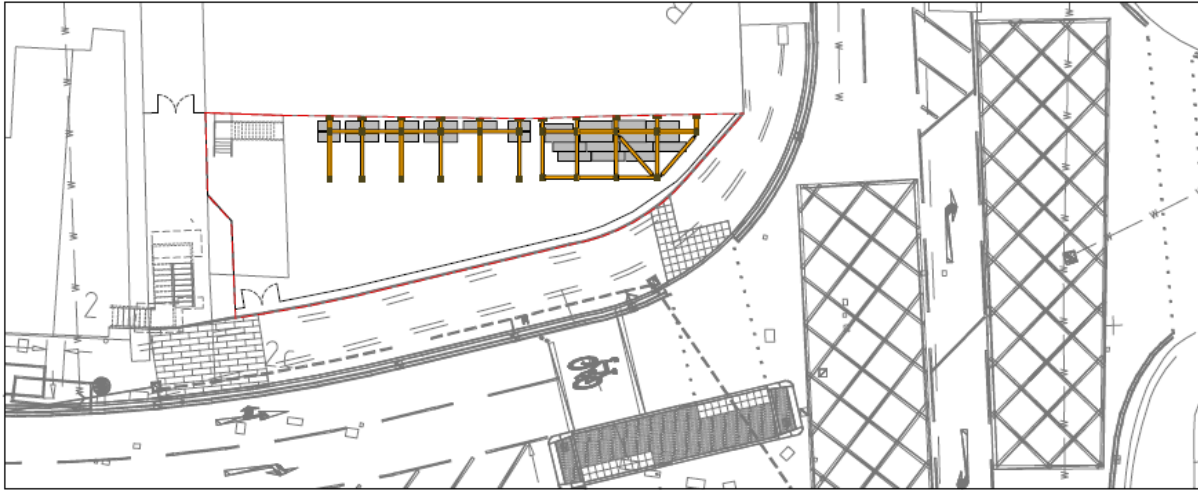


Fig 1: “As existing” plan of the site, showing new junction and propping system in place against neighbouring building.

2. Intelligence and Insight

The Council appointed Erect Architecture to assist with an initial feasibility study for the site, undertaking a full analysis of the plot and its constraints and opportunities as part of RIBA Stage 1. This section summarises this insight and its conclusions.

Site location, connectivity and context

The site is well connected by road, as well as train and bus stations. As such, it has the highest Public Transport Accessibility Rating of 6a. However, it is poorly connected to National and Local Cycle Routes and other car-free routes within the area.

In terms of open space, analysis highlighted a lack of greenspace, quality public realm and seating within Cricklewood Town Centre. The nearest public park is over a mile away, and there is little civic space in the near vicinity.

Local Plan and Brent Cross / Cricklewood Regeneration Area

Within the Local Plan, Brent Cross/Cricklewood has been identified as a major Opportunity Area and was therefore included as an important strategic project in both the London Plan and the Unitary Development Plan. It was defined as ‘a major focus for the creation of new jobs and homes, building upon the area’s strategic location and its key rail facilities.’

The Brent Cross Cricklewood scheme will see the regeneration of 151 hectares, making it one of the biggest such projects in Europe. It includes a modernised and extended shopping centre, the creation of a new high street south of the North Circular, and a new Thameslink station.

Included is 4.2m sq ft of new office space, an enlarged bus centre, major road improvement schemes, new pedestrian and cycle links, 7,500 new homes, community and educational space – including three new schools, new leisure spaces, high quality public realm and a range of new parks.

The site falls within the Cricklewood Regeneration Area and within an area of archaeological significance. It is within a core zone for retail space, whereby retail floorspace is encouraged to maintain the vitality and viability of town centres.

The Local Plan includes specific references to Cricklewood's night-time economy, and Policy CS6 deliberately states the importance of public realm improvements in supporting local retail.

Air quality

The site is located within an Air Quality Management Area (AQMA) that has been designated by the Council for exposure to exceedances of annual mean objectives for nitrogen dioxide and particulate matter.

Benefits of green spaces

Included within the feasibility work was a summary of a report which outlines the benefits of green spaces, including the following:

- Environmental benefits
 - Cooler air through shade and ground cover, with less heat retention
 - Less rainwater run-off through water infiltration, storage and pollutant removal
 - Better air quality through pollutant absorption
 - Climate change mitigation through carbon capture
 - Better bio-diversity/eco-system health by providing natural habitats
- Physical, mental health and well-being benefits
 - Lower obesity and better cardiovascular and respiratory health through space for exercise
 - Reduced stress, mental fatigue and attention deficit through the aesthetic experience
- Social benefits
 - Enhanced cognitive and motor skills and socialisation for children via spaces for play and challenge
 - Greater social interaction and community cohesion through inclusive, free space
- Economic benefits
 - Cost savings for government related to environmental and health expenditures
 - Increasing property and land value
 - Increased footfall through town centres, increasing income for retail and local businesses

The feasibility report concludes with a number of examples and precedents, covering parklets and innovative design solutions that minimise the visual impact of temporary propping systems.

3. Options Considered

"Do nothing"

The site is currently hoarded off to public access and safe in terms of pedestrians and integrity of the neighbouring building. In theory, the Council could choose to leave the site as is and simply maintain the current setup.

The benefits of this approach include:

- Limited immediate capital investment required

However, the dis-benefits are as follows:

- Ongoing cost of maintaining existing propping system, including renewal following expiry of five-year life cycle
- Public opposition to the visual appearance of the system and its impact on town centre aesthetics
- Lack of long-term solution for underutilised site, which does not contribute to Barnet's goals and objectives for the Borough

Development option

The Council has also considered a more comprehensive development option in terms of using the site for commercial, housing or a larger retail option.

Potential benefits here include:

- Significant income – either capital or revenue – through leasing of office space or sale of private housing
- Permanent solution to propping system, with structural integrity of neighbouring building secured for the long-term

However, the dis-benefits are:

- Significant capital investment required, with limited budget currently available
- Length of delivery programme is potentially prohibitive, requiring significant approvals from planning
- Potential disruption to key junction within Cricklewood area
- Limited contribution in terms of sustainability, air pollution and contribution to retail offering

The Council therefore commissioned Erect Architecture to undertake feasibility work (to RIBA Stage 1), exploring the potential design options for a parklet or pocket park which offers a retail and/or green space solution which also solves the long-term question of the propping structure. The proposed solution would need to meet the environmental, economic and other objectives as outlined in the PID.

The outcome from RIBA 1 was a decision to proceed with a “parade” design approach, in which a permanent propping structure supports the neighbouring building whilst housing micro-businesses, with supporting planting, paving and seating.

Jan Kattein Architects (JKA) were subsequently appointed to develop this design principle, provide design options to RIBA Stage 2 and provide financial information for each. High-level summaries of each and their operational/structural principles are provided below, along with key strengths and limitations of each.

Further details – including calculations for financial estimates – are included within the document “Cricklewood Pre-RIBA 2 Phase B Business Case”, authored by JKA.

Option 1 – Local Retail Offer and Markets

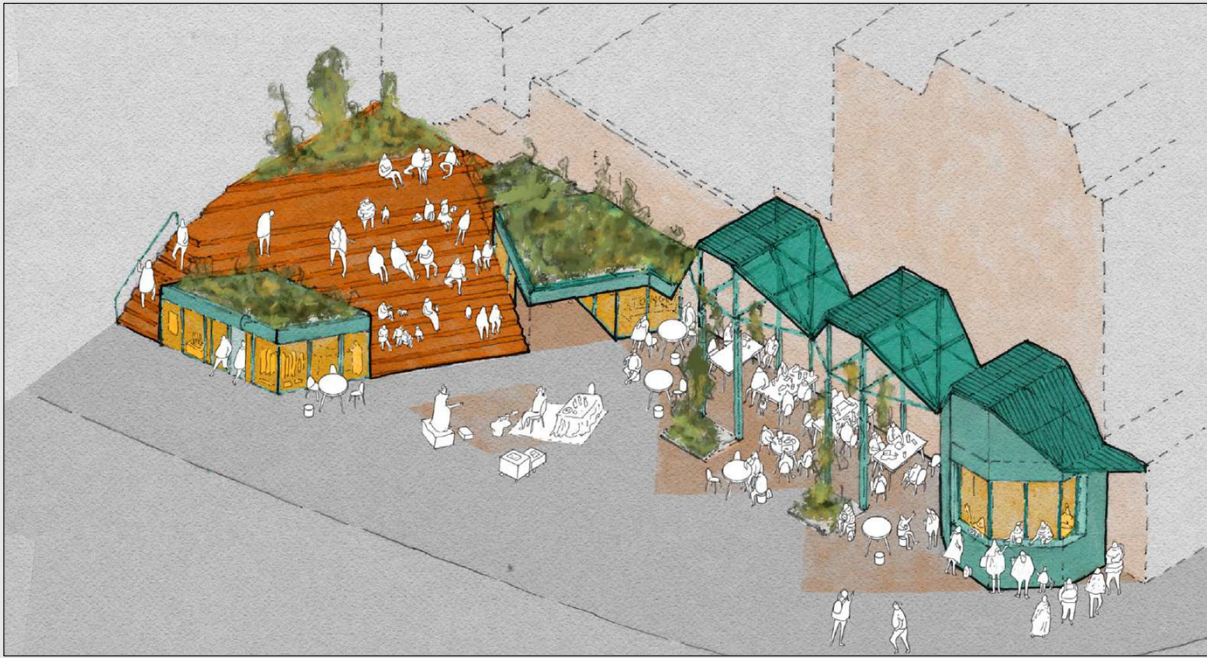


Fig 2: JKA representation of Option 1 – includes terrace-style seating, kiosks for small businesses, and greening

Operational principles	<ul style="list-style-type: none"> • 3 kiosks for local business, with opportunity for spill-out • Public amphitheatre and seating • Greening integrated within kiosk roofs and stepped terrace
Structural principles	<ul style="list-style-type: none"> • Party wall restrained by neighbouring structure (160-162 Cricklewood Broadway), enabled by invasive works
Strengths	<ul style="list-style-type: none"> • Allows large space for semi-formal events occupation, as less space required by propping • Offers most permanent structural solution, with flexibility around potential development in future • Structural works could begin ahead of park works • Visually most appealing, offering environmentally responsible repairs as opposed to visible remedial works
Limitations	<ul style="list-style-type: none"> • Significant potential legal/ownership/access risks associated with neighbouring owner – would need agreement and immediate engagement • Remedial works potentially affected by rights of access • No buffer offered between site and pavement

Option 2 – Maximise Micro-Enterprise

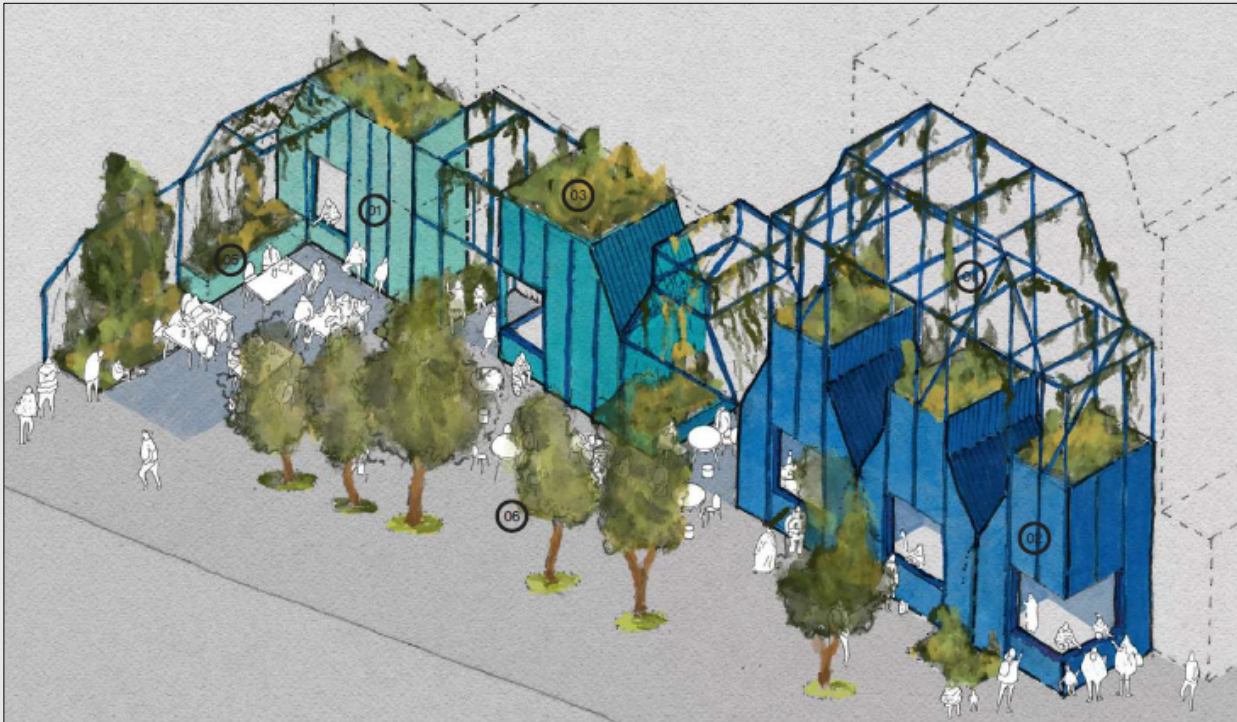


Fig 3: JKA representation of Option 2 – maximises micro businesses and adds green buffer to road

Operational principles	<ul style="list-style-type: none"> • Space for 4-7 micro-business plots • Greening in the form of vertical gardens/climbers green roofs and trees • Open space for congregation, with a green buffer to road • Variety of open and sheltered public spaces provided for activation
Structural principles	<ul style="list-style-type: none"> • Narrow propping frame integrated with ‘micro terrace’ typology, based on “parade” option • Structure can double as vertical gardens extending from deep green roofs and/or climbers
Strengths	<ul style="list-style-type: none"> • Soft buffer created to pavement by row of trees • Works do not require access to neighbouring site
Limitations	<ul style="list-style-type: none"> • Limited future flexibility for chosen option, including no option to expand or increase number of units • Potential for anti-social behaviour in design of recessed areas • External propping would be reliant on Party Wall • Comparable in aesthetic to existing propping solution, which has received negative response from local residents

Option 3 – Maximise Public Space & Greening

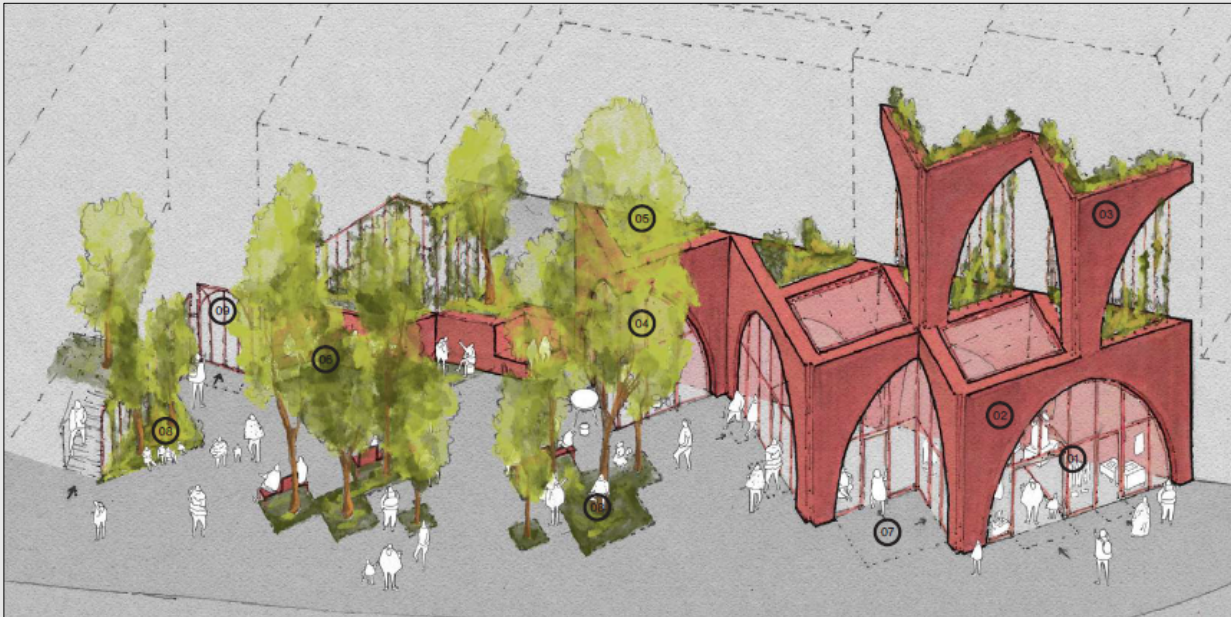


Fig 4: JKA representation of Option 3 – maximises public space and greening

Operational principles	<ul style="list-style-type: none"> • Maximises inhabitability of narrowest area of site, unlocking opportunities for greening and mature trees in the wider area • Structure can be subdivided to delineate space for traders at variety of scales • Space for 4 to 5 micro-business plots • Greening in form of vertical gardens/climbers/green roofs and mature trees
Structural principles	<ul style="list-style-type: none"> • Wide inhabitable propping structure, maximising usable space • Buttressing allows people to walk beneath structure • Can be used to integrate high level planting and climbers
Capital cost estimate	<ul style="list-style-type: none"> • £850,000
Annual revenue estimate	<ul style="list-style-type: none"> • £22,635
O&M budget estimate (2 years)	<ul style="list-style-type: none"> • £28,623
Strengths	<ul style="list-style-type: none"> • Prioritises high quality public realm and greening, providing most flexibility to integrate mature trees and SUDS • Space for 12 trees with broad canopies, offering maximum pollution mitigation • Structure is self-stable and not reliant on Party Wall, offering some flexibility in future • Structural strategy provides sense of permanence whilst maximising space for quality greening, unique vista and local landmark for area • Public space can be locked in the evening to prevent loitering, long views into site and glazed frontages reduce possibility of ASB • No access required to neighbouring site
Limitations	<ul style="list-style-type: none"> • More material required to form this propping structure • Retains some form of propping structure, although visually very different to existing

Conclusions

All 3 options were found by Jan Kattein Architects to be financially viable and broadly supportive of TFL and the Mayor of London's 'Guide to Healthy Streets Indicators'.

As the above analysis demonstrates, Option 3 was found to be most favourable both by JKA's detailed and quantified assessment, and when discussed by LBB's Steering Group. It was agreed that it best met the project's objectives as outlined above and in the Project Initiation Document.

Therefore, the case for this option is analysed in greater detail in the section below.

4. Analysis - Five Theme Model

Strategic Context

Administration Objectives

Option 3 fits into and supports the Council's objectives in a number of ways, including meeting some of the objectives outlined within the administration's manifesto, including:

- **Community** – including co-design and co-development with businesses, members, the local community and other stakeholders
- **Sustainability** – positive contributions in terms of planting, clean air and pollution mitigation
- **Local economy** – creation of space appropriate for local, small businesses, plus improvement to the aesthetics of a high-profile town centre space

Growth Strategy

Equally, the project meets many of the goals of the Council's Growth Strategy, including:

- A growing borough – supporting the number of new homes in the Brent Cross Cricklewood regeneration area through improved infrastructure, new jobs and public realm.
- A connected borough – contributing to healthier street design to encourage active travel and ensure town centres are cycle and pedestrian-friendly.
- An entrepreneurial borough – introduction of space for micro-businesses in prime retail space, ensuring the economy is strengthened post-pandemic.
- A borough of thriving town centres – supporting high street retail, encouraging a broad mix of uses and creating an environment in which local town centres can succeed.
- A great borough to live in and visit – including the introduction of social and events space, and adding green assets to the borough.

Social & Environmental Value – Economic Context

Social value

The social value of the project is demonstrated through the following:

- Community benefits and cohesion – widening open space, suitable for events and classes protected from the road by tree buffer, provides storage space and shading
- Permeability and anti-social behaviour – trees allow nominal hindrance of sight lines into site, public 'arcade' secured overnight to prevent loitering

- Provision of affordable commercial opportunities for local start-up businesses and entrepreneurs, including the creation of jobs
- Relationship with junction – creating a permeable buffer to the pavement with irregular tree planting and seating

Environmental Value

The environmental value of the scheme has been assessed against the United Nations’ 17 sustainable development goals, and achieves against the following metrics:

- Improved sustainability measures – prioritising high quality green opportunities and ecosystem/biodiversity values
- Urban greening opportunities – including an intensive green roof, flower-rich perennial planting, rain gardens and vegetative DUFFS, mature trees, climbers, and groundcover planting
- Pollution mitigation – space is provided for 12 trees including mature trees with broad canopies
- Material efficiency – a reduction in existing propping
- Visual perception – a complete departure from current unpopular aesthetic, creating a visual sense of permanency

Commercially Viable – Commercial Context

The project represents a strong opportunity to works contractors; despite challenges faced by the construction industry, it remains strong following the pandemic.

A robust procurement strategy will be developed following business case approval – an outline of this is included within this document, see Section 5.

It is anticipated that the Council will be able to run efficient and competitive tender exercises that provide value for money in terms of appointing further designers and subsequent works contracts.

From an income perspective, the project offers significant commercial opportunity to both the local authority and potential occupants of the kiosks, as follows:

- Revenue offer – provision of space for 4 kiosks for local businesses, with opportunity for spillout, maximises capacity of site
- Job opportunities – at least 9 job opportunities once project is complete, plus a number of opportunities throughout works
- Affordable options for SMEs – estimated monthly rental rates kept at commercial rates (see below)
- Use mix and activation – possibility for events and market space activation

Financially Viable – Financial Context

The project budget was initially identified at £825k by appointed architects and their cost consultants, as per the below.

Capital cost

The initial project costs are outlined below:

Works	£453,000
--------------	-----------------

Contractor prelims (20%)	£90,600
Contractor OAP (10%)	£54,360
Design fees and surveys (15% + 5%)	£119,592
Risk / contingency (15%)	£107,633
TOTAL	£825,185
LBB staff costs (based on previous schemes)	£75,000
Additional technical assurance	£20,000
Optimism bias (40% of works)	£330,000
GRAND TOTAL	£1,250,185

When considering potential market fluctuations plus added Council costs (e.g. staff time, technical assurance) the anticipated budget is **£1,250,185**.

The total figure is to be allocated from the Town Centres Investment Programme budget, as previously approved by Policy and Resources Committee in July 2021. As part of these approvals, £23.5m was allocated for town centres projects from the Strategic Community Infrastructure Levy fund.

Operation and maintenance costs

An initial estimate of annual maintenance costs for Option 3 is outlined below. This is to be further examined against existing LB Barnet maintenance contracts as the project develops.

Lighting maintenance	£5,120
Tree maintenance (large)	£2,500
Tree maintenance (small)	£1,050
Planter maintenance	Included in kiosk lease agreements
Waste collection (daily)	£5,475
Electricity – Public (lighting etc)	£166.56
Business rates (possible exemption)	Included in kiosk lease agreements
Kiosks – water	Included in kiosk lease agreements
Kiosks – electricity	Included in kiosk lease agreements
ANNUAL TOTAL	£14,311.56

Revenue

Potential income figures are included below. These are based on local benchmarking, and assumes that tenants would be brought in directly by the Council.

Kiosk	Area / SQM	People / Unit	Income PCM	Income Annual
1	7	2	£244.52	£2,934.24
2	20	2	£698.63	£8,363.54
3	20	2	£698.63	£8,363.54
4	7	2	£244.52	£2,934.24
TOTALS	54	8	£1,886.30	£22,635.57

Potential revenue and operational costs were estimated using available information by the appointed architects. These were then verified by Churchill and Partners, a London-based firm with expertise in the local commercial property market.

Churchill & Partners offered a range of advice in relation to the scheme’s proposed units, including their design, leasing arrangements and lease values. Most importantly it was suggested that the above figures are modest, and a far greater sum (in excess of £50k a year) can be commanded.

Relevant approvals will be required at each stage ahead of confirmation of works contracts or the letting of units. A Full Business Case will be developed which will build upon this initial work, for approval through Capital Strategy Board and the Council’s internal Gateway process. Further work will include review of void cost considerations, and ongoing engagement with the Council’s Estates team to review.

Delivery – Can the organisation and partners deliver the project successfully

The project will be managed by the Council, with support from a chosen technical team (including designers) and contractors. Full resourcing is outlined within the Project Initiation Document.

Option 3 has significant benefits in terms of deliverability, including:

- Buildability – permanent propping can replace existing structure through appropriate phasing, e.g. being designed to thread through existing before removal
- Ownership and legal constraints – the works would not require access to the demise of the neighbouring site
- Programme risk – there are no unique risks to programme associated with this option
- Planning – site use mix is not currently perceived as controversial in policy terms, but will require some form of permission, likely minor works application

An initial programme for delivery is included below, and a live programme is included in the project’s RAID Log.

Milestone	Timescale
Approval of Outline Business Case	January 2023
Appointment of Stage 3 design team	January 2023
Further consultation	February/March 2023
Submission of planning application	March 2023
Appoint D&B contractor	May 2023
Works commence on site	July 2023
Tenants and leases finalised	October 2023
Works on site complete	December 2023

5. Procurement

An indicative approach to key and upcoming procurements is outlined below:

Package	Approach	Timescales
Surveys – e.g. topographical, underground services etc.	Topographical surveys have been instructed and drawings received. Further surveys to be inform Stage 3 design to be dictated by planning advice.	Ongoing

RIBA 3 Design Services	Exploring potential extension to Stage 2 contract for architectural services and other design consultancy.	January 23
Technical Assurance	Explore whether SPIR or procurement exercise will be viable for QS/further technical assurance.	On appointment of further design services/contractor.
Main contract	Design and Build approach considered; design services appointment to cover documentation for works tender. The feasibility of making this appointment prior to any planning permission will be reviewed with the project and procurement teams.	To be undertaken following planning application.

Document Control

Storage (File Path or Teams)	Cricklewood Junction Business Case v1.0
Reference	Cricklewood Junction Business Case
Version	V1.0
Date created	5 January 2023
Status	FINAL

Document History

Date	Version	Reason for change	Changes made by
26 August 2022	V0.1	Original draft	Ryan Mann
9 September 2022	V0.2	Redraft following input from project team; addition of detail on programme and procurement	Ryan Mann
16 November 2022	V0.3	Additional detail following input from project team, external consultants and planning; for HAG submission January 2023	Ryan Mann
5 January 2023	V0.1	Final version to accompany HAG report	Ryan Mann

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Marc Delane	Portfolio Lead – Town Centres	05/01/2023
Baljit Bhandal	Senior Lawyer – Planning and Regeneration	05/01/2023



Housing and Growth Committee 17 January 2023

Title	Brent Cross Update Report
Report of	Chair of Housing and Growth Committee
Wards	Cricklewood
Status	Public with Exempt report (Not for publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 as amended as this relates to information of a financial nature and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).
Urgent	No
Key	Key
Enclosures	Appendix 1, Brent Cross West Station (BXW) Site Progress Photographs Appendix 2, Governance Assurance Board Meeting Presentation 16 November 2022
Officer Contact Details	Luke Ward, Brent Cross Programme Director: luke.ward@barnet.gov.uk

Summary

This report updates on progress across the Brent Cross programme since the last update to this Committee on the 16th November 2022.

In particular it provides an update on the progress on site with the start of works above ground on the first plots of Brent Cross Town, and continued good progress on Brent Cross West Station construction.

The report also includes recommendations seeking authority to enter into various agreements required to continue bringing forward the Brent Cross Development.

Officers Recommendations

That the committee:

1. Note the progress across the Brent Cross programme as detailed in the report; notably the start on site of above ground works for the first plots of Brent Cross Town, and the continued good progress of the station works programme.
2. Approve the approach to carry out works to the former Hendon Waste Transfer Station to remove the council liability to pay National Non-Domestic Rates (NNDR) on the vacant premises as set out in [paragraph 1.39](#)
3. Delegate to the Chief Executive in consultation with the Chair to approve the form of the template Infrastructure Lease and template Service Charge Lease, pursuant to the project agreement, as set out in [paragraphs 1.19 to 1.22](#)
4. Delegate to the Chief Executive in consultation with the Chair to finalise and enter into the required agreements to enable the drawdown of the primary substation and energy centre on Plot 59 to enable Brent Cross Town to deliver on the net zero carbon pledge for the new town as set out in [paragraph 1.23 to 1.24](#). Agreements are expected to include;
 - i. Grant by LBB of an infrastructure lease for Plot 59 and entry by LBB into associated documents required to facilitate the granting of the infrastructure lease for plot 59 and;
 - ii. Grant by LBB of leases to various utility providers relating to the operation of the substation and energy centre on Plot 59.
5. Delegate to the Brent Cross Programme Director to agree and enter into relevant agreements with BXSLP or directly with services providers to grant required wayleaves for telecoms or other services being installed for delivery of the Brent Cross Town development, utilising the standard council wayleaves process wherever applicable, as set out in [paragraph 1.25](#)
6. And delegates to the Deputy Chief Executive in consultation with the Chair to finalise the station construction contract as set out in the Exempt report

1. Why this report is needed

- 1.1. This report provides the quarterly update on progress on the Brent Cross Programme since the last update to this Committee on 16th November 2022.
<https://barnet.moderngov.co.uk/documents/s75102/PUBLIC%20-%20BX%20HG%20FINAL%2016%20Nov%202022.pdf>
- 1.2. Since the last report progress continues to be made across the development site as can be seen in the latest drone images ([November 2022 Drone Footage](#)). The key updates for the committee to note are as follows:

- Above ground works on site for Plot 12 have commenced as can be seen from latest drone images showing the first tower cranes now erected on site. The core of Plot 12 is also now visible from the surrounding areas.
- The Reserved Matters planning application for Clitterhouse Playing Fields was submitted on 21st November 2022 following conclusion of the third round of consultation.
- Vacant possession has been achieved of Unit 2 on Brent Terrace North, which is to be developed as a meanwhile use opening later in 2023 and benefiting the new development and existing community.
- Works continue on the fit out of the new Brent Cross West Station with major construction works now completed.
- The planning application being brought forward by Chase New Homes on the Donoghue Waste management site has been submitted.



Brent Cross West Station in the foreground. Brent Cross Town in the background (December 22)

Brent Cross West Station

Works Update

- 1.3. Positive progress continues to be made at the new Brent Cross West station since the last report to this committee.
- 1.4. As can be seen from the photographs in appendix 1 the main station structure is complete, and the external envelope is nearing completion. Network Rail has completed its railways systems and sidings infrastructure work. Work on the station continues at pace with several teams working across the site installing electrical and communications systems, and finishings.

Programme Update

- 1.5. Since the last committee, rail strikes have continued to disrupt progress on site. Network Rail has worked hard with the construction contractor VolkerFitzpatrick to ensure that the effect of the disruption is minimised. Planned works were undertaken on site over the Christmas holiday.
- 1.6. The construction programme for the new year is currently under review. It is anticipated that physical works will be completed in Q1 2023 with a period of testing and commissioning to follow.
- 1.7. The Steering Group of Key Stakeholders formed to oversee station completion and handback progress in readiness for station opening will meet again in late January 2023 to review readiness for station opening and consider potential station opening dates. Key Stakeholders include Network Rail (NR), Govia Thameslink Railway (GTR), Department for Transport (DfT), Related Argent, VolkerFitzpatrick Limited, MACE and London Borough of Barnet. Once all stakeholders have agreed on the bringing into use programme the official station opening date will be confirmed. This is expected to be publicised in the coming months.
- 1.8. As previously reported work is underway to develop a communications strategy and programme of events leading up to and including the station opening. This focuses on the practicalities of preparing for a station opening, the opening event and the events leading up to the opening. For these events to be planned effectively, a firm opening date is required, which is a key objective of the handback steering group as mentioned above.
- 1.9. Site visits continue to be planned and arranged for stakeholders including local residents, schools, and local businesses, as well as national figures, industry partners, local councillors, MPs and press. It is anticipated that this work will grow as the station gets closer to completion. Careful co-ordination of visits is required as we anticipate a large amount of interest in the station opening. Further updates will be provided to the committee in the coming months.

Station Property Agreements / Operational Costs

- 1.10. The council continues to work with NR, GTR, Brent Cross South Limited Partnership (BXSLP) through the Estate Management Company (ManCo) and the DfT to finalise the property agreements required to manage the station on a day-to-day basis. This will be an area of significant focus over the coming months as the station construction programme draws to an end. Positive dialogue has taken place with DfT with further discussions scheduled in early 2023.
- 1.11. The council have completed the electricity sub-station lease with Vattenfall which enables power to be provided for the next stage of works and station opening.

Western Public Realm

- 1.12. Construction works to the western public realm are anticipated to commence early in 2023 and will be completed in time for station opening. All pre-commencement conditions for the public realm have now been approved by the Local Planning Authority.

- 1.13. In addition to the public realm works, wider pedestrian wayfinding to the west of the station is required to facilitate recommended walking routes to and from the station. Specialist resource has been procured to support this initiative.
- 1.14. More broadly, a joint programme of work is developing with the London Borough of Brent between the western side of the midland main line and the A5. This work is seeking to support Brent to develop ambitions set out in its Local Plan to deliver regeneration and place making initiatives in and around the Staples Corner industrial estate, capitalising on access to the new station, the jobs at Brent Cross Town, and creating inclusive economic growth in the wider sub-region.

Brent Cross Town

- 1.15. Further progress is being made across the site as can be seen from the latest drone footage of the development area [November 2022 Drone Footage](#).
- 1.16. Following completion of the legal agreements required to commence the first building plots at Brent Cross Town, and the announcement of wider investment into the first phase, works have started on site above ground with several tower cranes now erected and the first building core visible from the surrounding area (see image below).
- 1.17. Works are underway to develop the contractor office space that will serve the development as more plots commence over the coming years.



First tower cranes constructed and core of plot 12 now visible above ground (December 22)

- 1.18. Currently above ground works are underway on Plot 12, 25 and 202. Works on plot 13 are due to commence in January 23, Plot 14 in May 23 and plot 203 in December 2023.

Template Infrastructure Lease

- 1.19. As part of the development of Brent Cross Town the council are required to grant leases for infrastructure plots. In general, infrastructure leases will cover areas that fall outside of development plots. This will mainly cover areas of the Brent Cross Town estate such as public realm, roads and pavements (non-adopted), but also includes

plots that include infrastructure that serve the development, such as plot 59 which includes the primary substation and energy centre.

- 1.20. In order to agree Infrastructure Leases for relevant plots as they come forward, the Project Agreement requires a template infrastructure lease to be agreed that will serve as a framework for individual leases, which will be tailored where required. Discussions have been ongoing between the council and Related Argent on the form of this agreement, and the committee is asked to delegate to the Deputy Chief Executive in consultation with the Chair to approve the form of the template Infrastructure Lease pursuant to the project agreement.

Template Service Charge Lease

- 1.21. Similar to the infrastructure lease mentioned above, the council are required to enter into a template service charge lease which will act as a framework service charge agreement between the estate management company (Estate Manco) and the Council for the Brent Cross Town estate.
- 1.22. The service charge lease is between the Estate Manco and Council and sits above the Development Plot leases so that Estate Manco becomes the landlord of the plot developer. The Project Agreement requires a template form of service charge lease, which is substantially based on the template form of development plot lease. The form of development plot lease will be adapted as necessary for each development plot. The committee is asked to delegate to the Deputy Chief Executive in consultation with the Chair to approve the form of the template service charge lease pursuant to the project agreement.

Brent Cross Town Primary Substation (Plot 59)

- 1.23. Construction works on the new Brent Cross Town primary substation have progressed well as shown by the below image. The colourful wrap has now been installed and this hallmark building can be seen from the surrounding area and is expected to become a symbol for the new development. Proposals for the associated energy centre which will provide a district heating solution for the new town are currently being developed.



Brent Cross Town primary substation wrap complete

- 1.24. Following completion of works, an infrastructure lease and associated agreements will be granted to Brent Cross Town to allow drawdown of this plot. Associated agreements may be required with utilities providers relating to the operation of the substation and energy centre. The committee is therefore requested to delegate to the Deputy Chief Executive in consultation with the Chair to enter into the required agreements to enable the drawdown of the primary substation and energy centre on Plot 59. Agreements are expected to include;
- i. Grant by LBB of an infrastructure lease for Plot 59 and entry by LBB into associated documents required to facilitate the granting of the infrastructure lease for plot 59 and;
 - ii. Grant by LBB of leases to various utility providers relating to the operation of the substation and energy centre on Plot 59.

Wayleaves for utilities and services

- 1.25. As part of the Brent Cross Town development utilities and services will be installed across the estate and will connect into the surrounding area. As a result, several wayleaves will need to be granted to either BXSLP, or directly with utility/services providers. The council has a well-established process for agreeing wayleaves on council owned land, and this process will be utilised wherever possible. The committee is asked to delegate to the Brent Cross Programme Director to agree and enter into relevant agreements with BXSLP or directly with services providers to grant required wayleaves for telecoms or other services being installed for delivery of the Brent Cross Town development, utilising the standard council wayleaves process wherever applicable.

Plot 1 – Sheffield Hallam university announcement

- 1.26. Following the approval of the Reserved Matters planning application for Plot 1 on 6th October 22, Related Argent announced that Sheffield Hallam university will open its first satellite campus outside of Sheffield in Plot 1, known as 3 Brent Cross Town. The University is scheduled to open from 2025/26, with the aim of reaching a target of up to 5,000 students by 2030.
- 1.27. The establishment of the new university complements the planned development on Plot 25 which is now underway. The building will provide accommodation for 662 students, communal study and recreational areas as well as a commercial unit on the ground floor.

Clitterhouse Playing Fields Update

- 1.28. Following the conclusion of the final round of public engagement in October the full planning application for Clitterhouse Playing Fields was submitted by Related Argent on the 21st November. The full application documents and plans can be viewed on the [Barnet Planning portal](#) by using reference 22/5617/FUL.
- 1.29. The six-week public consultation period as part of the planning process is scheduled to conclude on the 6th January 2023 with the final decision on the application likely to be made at the Strategic Planning committee.

Business Plan Update and Second Phase Proposal

- 1.30. Related Argent are currently working up details on revisions to the Business Case and the second Phase Proposal, following Phase One going unconditional in June 2022. These documents are expected to be submitted to the council in early 2023 and will be included in future reports to the committee. The current driver for approval of the second phase proposal is the commencement of Plot 1 which is expected to start in May 23.

Relocation of the Whitefield Estate Part 2 – Plot 12

- 1.31. As previously reported, Plot 12 works are underway with the completion of new homes expected in 2024. Currently, L&Q is carrying out several engagement activities relating to the relocation of Whitefield Estate residents including holding 1-1 appointments with the secure tenants to discuss their allocation for the new homes. Related Argent and L&Q have invited secure tenants to attend tenant choices sessions which are being held at the Pavilion Visitors Centre from 3 to 31 January 2023. This will provide secure tenants with the opportunity to review and select colour choices for rooms in their new homes. L&Q also intend to meet with resident leaseholders, to discuss the shared equity deal. This activity should help to ensure that residents feel fully engaged with the regeneration, and any questions they have are answered.
- 1.32. L&Q has developed a communication plan for the residents which will include hosting several drop-in sessions, exhibitions, developing FAQs and producing a shared equity guide and updating the resident guide for Whitefield Estate Part 2 residents.
- 1.33. The council and BXSLP are continuing to work together to agree the strategy to secure vacant possession of the Whitefield Estate. As part of the strategy, the Council is promoting an Advanced Acquisition scheme for leaseholders. This scheme will allow leaseholders to sell their property in advance of the vesting dates and it will replace the existing Hardship Buyback Scheme. Further details about the scheme are contained within the Whitefield Estate Part 1 and 2 Delegated Power Report <https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=9053>. Letters are due to be issued to inform the leaseholders about the scheme.

Brent Terrace North Properties

- 1.34. As reported to the committee on the 16th November, BXSLP are working with a leisure operator on a proposal for Unit 2, Brent Terrace North, with the aim to upgrade the building for grass-roots sports use. The council have since secured vacant possession of the building and granted a lease to BXSLP in December 2022. This allows BXSLP to carry out enabling works to the property, due to complete early March 2023. Following the enabling works, the operator will arrange its fit out works and these are due to complete early June 2023.
- 1.35. The council is in the process of finalising terms for renewing the temporary letting for Jesus House to allow continued use of the property at 112 Brent Terrace which neighbours Unit 2. Target completion is January 2023.

Wider Economic Climate

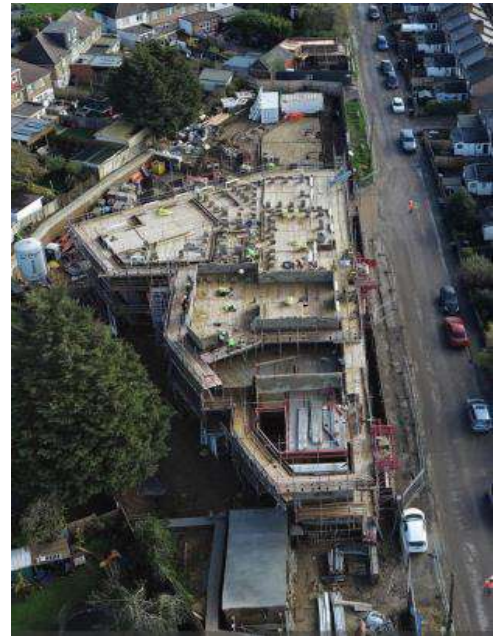
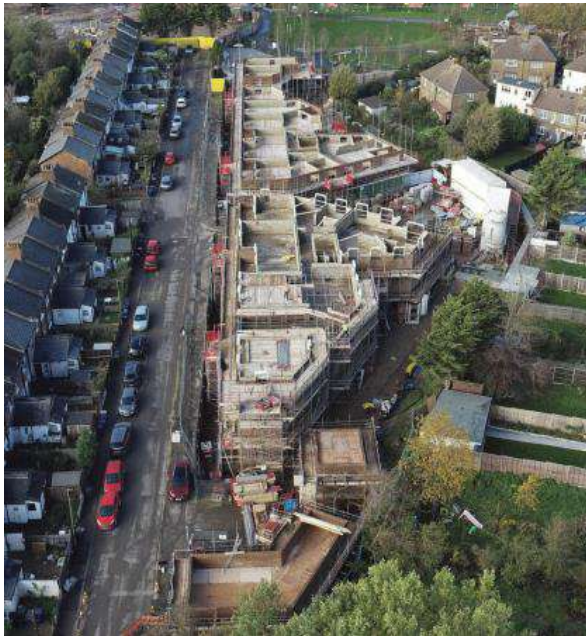
- 1.36. Despite good progress noted above and significant investment recently announced in the scheme, the ongoing economic turbulence as a result of recent national events brings uncertainty to investment markets which could result in challenges in the coming phases of the programme. Investment viability into the scheme is directly linked to

interest rates which have been increasing over the past 6 months. The current projections for future increases are lower than previously thought, however increases to rates and market volatility will have an impact on investment viability for future phases. The council and Related Argent continue to closely monitor the latest developments and assess the potential impact on the development.

Critical Infrastructure being delivered by the council

Relocation of the Whitefield Estate Part 1 – Plots 53 and 54

- 1.37. L&Q's contractor Bugler is continuing with the main construction works on Plots 53 and 54. The estimated completion of Plot 54 is scheduled for May 2023. Plot 53 construction has experienced some delays and is due to complete later in 2023. Works are progressing well on Block B (Plot 53) with fifth lift brickwork complete and scaffold lift in progress, internally mechanical and electrical services (M&E) first fix and screeding works have commenced. On Plot 54 the outer buildings brickwork is now up to roof level. See drone image of Plot 53 (Block A and B) and Plot 54 (C and D) below:



Plot 53 & 54 Construction – December 2022

New Waste Transfer Station

- 1.38. McLaughlin & Harvey have completed the RIBA Stage 3 design for the replacement Waste Transfer facility at Geron Way, incorporating the selected options from the value engineering review. The end users, the North London Waste Authority (NLWA) and LondonEnergy Ltd (LEL) have been engaged to ensure the most effective design from an operational perspective. The price and programme to develop this design to RIBA Stage 4, construct and hand over into operation, is due in early February 2023. This will provide the Council with the required information to issue the Notice to Proceed to Stage Two of the Main Works Design & Build Contract.

Hendon Waste Transfer Station

- 1.39. The former Hendon Waste Transfer Station (HWTS) has been vacant since being procured by the council as part of the purchase of Network Rail land to facilitate the

train station development. The team have been working with the environmental agency to remove the environmental permit which covers the site. Following a period of empty rates relief, the property is now attracting Non-Domestic Rates (NNDR) which the council is liable for. A strategy has been developed which may require appointing a contractor to undertake works to the property to remove the NNDR liability until such time as the land is transferred to Brent Cross Town for redevelopment. The committee is requested to delegate to the Brent Cross Programme Director to implement this strategy. The proposed works have been included in the council procurement forward plan.

Highways Works

- 1.40. The committee has previously approved the appointment of Tarmac Kier Joint Venture (TKJV) under the Highways Maintenance Framework to provide highway design and construction services on the Brent Cross project.
- 1.41. The Brent Cross Regeneration team has started engagement with TKJV to support the programme on the following schemes:
 - Brent Cross West Station western entrance public realm (Design and Construction)
 - A5 Edgware Road j/w Geron Way widening and improvements (Construction)
 - Brent Terrace north improvements (Construction)
 - Tilling Road j/w Claremont Road widening (Design and Construction)
 - Tilling Road West realignment and improvements (Design and Early contractor Involvement)
 - A5/A406/M1 junction improvement works (Design and Early contractor Involvement)

164-168 Cricklewood Broadway

- 1.42. A separate report relating to the proposed use of the site at 164-168 Cricklewood Broadway will be submitted to this committee which includes further details of the proposal for this site.

Compulsory Purchase Progress

- 1.43. The council continues to negotiate with claimants through its agent Newsteer Chartered Surveyors and remains available to conclude terms for settlements based on the CPO compensation code. Further payments have been made to claimants where negotiations have permitted.
- 1.44. The council continues with its Undertaking Agreement with Network Rail to acquire land required for the project including relocating a NR pointers heater DNO cabinet.

Whitefield Estate CPO 1 Part 1

- 1.45. CPO notices to acquire the remaining freehold and leasehold interests (6 properties) are due to vest with the council in May 2023. CPO work is underway to plan for the taking possession of leasehold units and serving any further notices as required to assist with this process. Work is underway to programme the acquisitions and associated work to ensure the smooth transfer of residents in Part 1 to new property with a single move still being provided to residents.

- 1.46. With regard to Shared Equity, the Council is proposing to settle the valuations for resident leaseholders/freeholders opting for shared equity at least six months prior to the completion of the new homes on Plots 12 and 54, as this will provide all parties with certainty on both sale and acquisition. The intention is to streamline all decisions for both Whitefield Estate Part 1 and 2 to ensure all leaseholder and freeholders are given the same opportunities.

Whitefield Estate CPO2 Part 2

- 1.47. CPO notices for this part of the estate are due to vest with the Council over March / April 2024. Newsteer are negotiating with leaseholders / agents to secure agreements for sale.
- 1.48. As reported in paragraph 1.33, the Council will be implementing an Advanced Acquisition Scheme, whereby any leaseholder wishing to sell in advance of vesting can do so. Additionally, an amended Options Agreement will remain, with an extended expiry date (until 21 March 2023) for exercising the agreement. This would suit the Homes England funding managed by BXSLP. The final terms will be delegated to Chief Officer in consultation with the Chair of the committee.

Controlled Parking Zones

- 1.49. As reported to the last committee the approach to implementing parking restrictions in the area have been split into two phases with an Experimental Traffic Regulation Order (ETRO) in the areas directly in the vicinity of the new station and Claremont Park, followed by a full Controlled Parking Zone (CPZ) covering the wider development.
- 1.50. A dedicated [ETRO/CPZ page](#) has been developed at TransformingBX.co.uk and will be updated with the latest information as the programme is implemented, with targeted communications being sent directly to affected residents explaining how the restrictions will operate and next steps.

TFL Bus Route Consultation

- 1.51. As reported to the committee on the 16th November, in June TfL started consultation on the Central London Bus Review. The council has challenged the proposals in its response to the consultation, as approximately 7.5% of the forecast bus passengers accessing Brent Cross Town would be affected by the proposed changes to the 189 and 16 routes and it will make it harder for the Brent Cross development to meet agreed modal share targets. The council await details of any proposed changes following the TfL consultation and further updates will be reported to the committee.

Promoting skills employment and opportunities

- 1.51.1. A key part of our communications strategy is to promote the opportunities for local people and businesses during the construction phase of the development and beyond.
- 1.51.2. Social value teams across the development continue to support local schools and community groups. And over the coming months we will be increasing our communications activity around jobs and skills opportunities across our sites.

1.51.3. Skills, jobs and grant opportunities can also be found at www.transformingbx.co.uk/opportunities

Donoghue Site

1.52. As reported to the committee on the 5th September, the PB Donoghue waste management site on Claremont Road has been sold to Chase New Homes, an independent housing developer. A detailed planning application has since been submitted on 26th October 2022 under planning reference 22/5238/RMA.

1.53. Following the planning process, a detailed design will be developed ahead of construction. In the meantime, the waste management site will continue to operate as usual.

Brent Cross South Retail Park

1.54. The Retail Park remains fully let.

1.55. Heads of Terms and the subsequent variation to the project agreement have been completed to provide the framework for bringing the Retail Park into the Brent Cross Town Joint Venture. Progress incorporating the Retail Park into the wider scheme will be reported to future meetings of the committee.

Brent Cross Shopping Centre

1.56. There is no further update since the last meeting of the committee. Hammerson have communicated they are developing some plans to implement some minor improvements to the area surrounding the shopping centre.

Programme Terminology

1.57. Brent Cross Town is part of the wider Brent Cross Cricklewood development, and while it is a major objective of the scheme, there are several other deliverables that form part of the comprehensive redevelopment of the area and are important to delivering the wider scheme benefits. Notably, the new Brent Cross West station as well as highway junction improvements already undertaken in Cricklewood sit outside of the delivery of Brent Cross Town.

1.58. Further to the above, it should be noted by the committee that the joint venture partnership between the council and Related Argent that is delivering Brent Cross Town is formally known as Brent Cross South Limited Partnership (BXSLP). Many of the legal agreements required to be entered into by the council are with BXSLP and therefore when delegations are required to enter into agreements the full legal entity will be referenced. In other instances where updates on progress are given, the name Brent Cross Town will be used to refer to the new town development.

2. Reasons for recommendations

2.1. The comprehensive regeneration of Brent Cross is a long-standing objective of the council and a key regeneration priority of the Mayor of London. The details of the scheme are set out in previous update reports to this Committee

3. Alternative options considered and not recommended

3.1. None in the context of this report.

4. Post decision implementation

4.1. The council and its advisors will continue to progress all work streams to ensure delivery of the Brent Cross regeneration proposals as outlined in this report and approved by the Housing and Growth Committee.

5. Implications of decision

5.1. Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.1.1. The council has put in place procedures to ensure the effective monitoring of the financial performance of the Brent Cross Programme. The Brent Cross Governance Board comprising senior officers of the council, including the Chief Executive and the Director of Finance, receives a detailed report each month setting out the financial performance of the Brent Cross Programme. This report includes a breakdown of the performance against the approved budgets and details of the individual Officers responsible for managing the budgets included within the Brent Cross Programme.

5.1.2. The overall Brent Cross Programme position forms part of the Financial Monitoring Report being presented at this Housing & Growth Committee.

Land Acquisitions

5.1.3. The approved budget is £65.962m. Cumulative spend to date is £57.467m. The current year forecast for 2022/23 is £5.112m.

Brent Cross Town Land Acquisitions

5.1.4. The approved budget is £33.657m. Cumulative spend to date is £16.811m. The current year forecast for 2022/23 is £2.116m.

Brent Cross West Station

5.1.5. The approved budget is £388.945m. This is inclusive of the £0.033m budget addition approved at Policy and Resources Committee 13 December 2022. Cumulative spend to date to is £314.727m. The current year forecast for 2022/23 is £56.707m.

Critical Infrastructure

5.1.6. The approved budget is £55.9m. Cumulative spend to date is £44.775m. The current year forecast for 2022/23 is £9.959m.

DLUHC Grant Funding

5.1.7. The total £416.573m grant has now been received (as of July 2022). The council continue to work with Department for Levelling Up, Housing and Communities

(DLUHC) on closing off the DLUHC funded elements and will be updating further on the repayable element of the grant once income from the Brent Cross Town scheme starts to materialise.

5.2. Legal and Constitutional References

- 5.2.1. The council's Constitution, Article 7.5, states that the functions of the Housing and Growth Committee includes responsibility for overseeing regeneration schemes and asset management.
- 5.2.2. The council is obliged by the development documents to enter into the proposed property transactions included in this report.
- 5.2.3. Section 32 (7b) of the Land Compensation Act 1973 (the Act) provides that where a landlord obtains possession by agreement of a dwelling subject to a secure tenancy within the meaning of Part IV of the Housing Act 1985 and - (a) notice of proceedings for possession of the dwellings has been served, or might have been served, specifying ground 10 or 10A in Part II of Schedule 2 to that Act, or (b) the landlord has applied, or could apply, to the Secretary of State for approval for the purposes of Ground 10A of the development scheme including the dwelling, or part of it, the landlord may make to the person giving up possession or occupation a payment corresponding to home loss payment or discretionary payment which they would be required or authorised to make to him if an order for possession had been made on either of those grounds.
- 5.2.4. All of the activity and legal transactions contemplated in this report will be carried out pursuant to and in compliance with all relevant statutory requirements, including all procurement activity which will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as amended) or any replacement public procurement regime that may become law in the UK as applicable.

5.3. Insight

- 5.3.1. None in the context of this report

5.4. Social Value

- 5.4.1. As indicated in sections within this report, the Brent Cross programme will secure wider social, economic and environmental benefits.

5.5. Risk Management

- 5.5.1. Risk management has been applied across all levels of the programme. Owners and mitigation plans are identified, and risks are measured against impact and likelihood to give an overall rating. High rating risks are escalated and reported through the defined reporting procedure with top risks reported to the Brent Cross Governance Board. Currently the high-level risks and mitigations are summarised below:
- 5.5.2. **Programme and funding** – There is a risk that BXN does not progress in the form currently proposed. Whilst the funding risk to the Station delivery has been significantly mitigated through the Revised Funding Agreement with Government, the delivery of

the BXN proposals and delivery of infrastructure is an important part of the regeneration proposals.

- 5.5.3. **Station Delivery Date** – there is the risk that the station opening date may be delayed. The current programme forecasts completion of physical construction in early in 2023. There remains a risk of unforeseen delay due to cancelled railway possessions, industrial action, inclement weather etc. While the possession risk has been mitigated, railway possessions can, whilst unlikely, be cancelled due to unforeseen circumstances. The project team and Network Rail continue to work closely together to avoid, mitigate and/or manage the impact of possessions unavoidably lost. These are regularly monitored through both NR board and Rail operations assurance board.
- 5.5.4. **Station Franchise** – The current Thameslink franchise, operated by GTR, has been renewed which removes a risk of uncertainty on the station operator. There remains a small residual risk as the new station still needs to be formally accepted by the operator, however through consultation with DfT and GTR through the various project boards it has been made clear the station is to be considered as part of the franchise when it comes into use and a robust handover process has been developed with all industry stakeholders included.
- 5.5.5. **Brent Cross West delivery costs** – as with all major programmes there is the risk that costs will increase during programme delivery. As reported to previous committees the Brent Cross West budget is under pressure and this risk is being actively managed with public sector partners and contractors. The contract between the council and NR is an Emerging Cost contract. As indicated in previous reports, all emerging cost contracts entered into will require strong contract management to ensure all costs incurred are reasonable. As part of the signed Implementation Agreement the council has open book access to all of Network Rail's financial information relating to invoiced costs incurred on the programme. This extends to Network Rail contractors where an emerging cost contract is in place. As referred to in the report to the former Assets and Regeneration and Growth Committee (ARG) in November 2018, the council also has the right (subject to notice and personal safety) to access the site and attend meetings. In this regard, the regular senior level meetings between Network Rail and the council/Mace delivery are continuing to review the costs each month. Similarly, there is an on-site presence by the council/Mace delivery team to be monitoring programme and work achieved, particularly during track possessions. As indicated within this report, delivery costs have increased and put pressure on the programme budget. A funding strategy has been developed and was approved by Policy & Resources Committee on 29 September 2022.
- 5.5.6. **Brent Cross West Station Operating Costs** – As part of the original station business case and grant agreement, it was agreed that the Council would take on the shortfall in operational cost of the station until it became profitable. Work is underway to confirm the ongoing operational cost of the station which will feed into an updated model that will provide further clarity on future cost risk. Discussions are ongoing with DfT on this topic.
- 5.5.7. **Resources** - The most important control mechanism for the council is to employ experienced staff who will provide diligent review and challenge of the NR cost base and reject any costs which are not reasonably and properly incurred. The council's Client and Brent Cross West delivery team comprises professionals used to working on the railway within Network Rail and are experienced in delivering large railway

projects. There is a need to ensure resilience within the programme in the event that key persons depart the project as well as to update the succession planning strategy.

5.5.8. **Economic Change** – There is a risk that the prevailing economic position for the traditional retail sector will continue alongside residential and commercial given current market conditions. This could result in reduced demand for retail space and administration to existing retailers. To mitigate this both Brent Cross North and Brent Cross Town development partners are exploring/reviewing diversification of offer within the Brent Cross development area. Wider macro-economic shocks may also impact the residential and office markets in London.

5.5.9. **COVID 19** – In line with national statistics, this risk has reduced, but the team continues to monitor cases and impact on programme. So far programme has been maintained however the team do expect some additional challenges as impacts on the supply chain are understood. Cost impact to date is estimated at £4m. It should be noted that further risks are dependent on any changes to government guidelines which could impact the project. The project team is maintaining a COVID 19 impact tracker to ensure all unavoidable costs and delays are recorded.

5.5.10. **Availability of Materials** – Costs and availability of materials following the impacts of the pandemic and more recently the war in Ukraine is having an impact on supply chains across the world. For elements of the scheme that are close to completion such as the Brent Cross West station this is less of an issue, however for those that have yet to start construction such as the new Waste Transfer Station the impacts may be significant. The programme team continues to assess the changing situation and are taking a pragmatic approach, considering alternative materials where possible if lead times are becoming an issue

5.5.11. **Retail Park Acquisition** - The key risk associated with the acquisition of the Retail Park is ensuring that the acquisition has no negative impact on the General Fund. The council has in place the required structures and will update as required to enable it to manage the Retail Park against these short-term variables such as Covid and Brexit to ensure that the council will secure the required returns so that there will be no gap or negative impact on the General Fund.

5.6. **Equalities and Diversity**

5.6.1. As previously reported, the Development Proposals support achievement of the council's Strategic Equalities Objective.

5.6.2. The development proposals for the Brent Cross scheme will make a significant contribution to the provision of additional, high quality affordable housing units in the Borough as well as providing employment through the creation of a new town centre with leisure, health and educational facilities. The delivery of the Brent Cross West station will enhance public transport provision and improve accessibility and provide greater choice for all. It should be emphasised that a fully integrated and accessible town centre will be created as part of these proposals.

5.7. **Corporate Parenting**

5.7.1. None in the context of this report.

5.8. **Consultation and Engagement**

Brent Cross Cricklewood programme-wide communications

5.8.1. We continue to work with our delivery partners to ensure residents living in the development area are kept up-to-date on the project, are given clear and timely construction updates, and are aware of opportunities available to them from employment and skills, funding and new amenities.

TransformingBX.co.uk and e-newsletters

5.8.2. Since transformingbx.co.uk launched in February 2020, to provide news and construction updates to residents, there have been over 53K unique users. In the last year alone there has been over 31k showing the growing interest in the development as we near closer to the completion of Brent Cross West, open new amenities for local people, host events and launch wide-spread consultations.

5.8.3. Our November e-newsletter was sent to over 360 people covering winter events at Brent Cross Town, the Sheffield Hallam University campus announcement, Clitterhouse Playing Fields application and a case study of a local apprentice.

5.8.4. Our December [2022 e-newsletter](#) was sent to over 360 people and covered a roundup of the year transforming Brent Cross and Cricklewood, construction updates, and picture progress on Brent Cross West.

Construction updates and Brent Cross Town community newsletter

5.8.5. The latest three-month [construction update](#) was issued in December 2022 providing a forward look of construction activity for Brent Cross West, Brent Cross Town and Plots 53 and 54 (replacement homes for Whitefield Estate residents) until the end of the year.

5.8.6. Brent Cross Town also distributed its [winter community newsletter](#) in December covering the latest updates on the development.

Good news

- [Sheffield Hallam University](#): In October, we announced Sheffield Hallam University will, in future, open its first satellite campus at Brent Cross Town. The announcement marks a significant milestone on the Brent Cross Town development as the first occupier to join a 3 million square foot commercial area, which will be built next to the new Brent Cross West station.

As a university, Sheffield Hallam has proven that it values its place in the community. The Brent Cross Town campus is scheduled to open from 2025/26, with the aim of delivering courses to 5,000 students by 2030 and the focus will be on recruiting local students. In Sheffield 40% of students come from within a 25-mile radius, a recruitment model we aim to recreate in Barnet.

- [Winter lights switch on and festive events](#): In December, we promoted a winter lights events which was hosted by Brent Cross Town with local school children singing carols and local retailer hosting festive stalls. A special Chanukah event was also held on the 19 December and led by Rabbi Gershon Overlander, Director,

Chabad House of Hendon Jewish Centre and the Deputy Mayor of Barnet. Both were well attended by members of the local community.

- **[Clitterhouse Playing Fields Application Submitted](#)**: Our partner, Related Argent submitted a planning application to Barnet Council as the Local Planning Authority in November. Three public consultations ran in [October 2021](#), [March 2022](#) and [September 2022](#) inviting the community to share their thoughts on the designs of the playing fields. Almost 700 people in total visited the in-person exhibition events and viewed the consultation online. A decision is expected in the new year.
- **Celebrating local apprentices**: In December we told the stories of two apprentices recruited by Galldris to support the ground working at Brent Cross Town, [Ryan McCabe](#) and [Belul Mesfin](#). We hope their stories will encourage people to consider roles on the project as construction work continues.
- **[Brent Cross West progress](#)**: In December we shared a picture progress update on the different sections of works happening ahead of the Brent Cross West station opening.
- **[Another year of Transforming Brent](#)**: To mark the end of 2022, we brought together all of the milestones achieved and big announcements made throughout the year. We want to provide residents with a look-back on all the benefits and positive stories which have taken place in the area.

Coming up

- 5.8.7. In the new year we are working on announcing new construction jobs at Brent Cross Town and unveiling a large-scale public artwork wrapping the impressive sub-station which will provide 100% renewable energy to Brent Cross Town. Sustainability and community will be a key theme for 2023.

Community Drop-in Sessions

- 5.8.8. We continue to run monthly drop-in session on the third Thursday evening of every month at the Brent Cross Town Visitor Pavilion. Teams from Related Argent, Barnet Council and L&Q are on hand to answer questions from residents in the local area (particularly those most impacted by construction). This is in addition to regular opening hours at the Visitor Pavilion where Welcome Hosts are available daily to answer questions about the programme.
- 5.8.9. There was no drop-in session in December, but they will resume from January.

Consultations

- 5.8.10. The final round of the Clitterhouse Playing Fields consultation ran during September and a planning application was submitted in November as outlined above.

Press Coverage

5.8.11. The Sheffield Hallam University partnership announcement generated national press coverage with articles achieved in the following outlets:

5.8.12. The Sheffield Hallam University campus announcement in October generated wide-spread coverage for the project:

- [Evening Standard](#)
- [BBC](#)
- [Times Higher Education](#)
- [React News](#)
- [Insider Media Limited](#)
- [Bdaily News](#)
- [Property Industry Eye](#)
- [Examiner](#)
- [The Sheffield Star](#)
- [Construction Enquirer News](#)
- [Top Build Home](#)
- [This Is Local London](#)
- [UK Time News](#)
- [UK Yahoo!](#)
- [Barnet Times](#) also covered this with a front-page trailer.

5.8.13. The local Times newspaper series has carried several stories over past couple of months in support of the project, and alerting readers to events and announcements across the programme.

- [Volunteers from the Brent Cross West help local farm and charity GROW](#)
- [Sunrise snapshot from Brent Cross West](#)
- [Christmas Lights On event at Brent Cross Town](#)
- [Festive events at Brent Cross Town](#)

5.8.14. Property Week also ran a feature on Brent Cross Town in December: [Small details, big gains](#)

5.9. Environmental Impact

5.9.1. Brent Cross Town vision includes a commitment to developing a net zero carbon town and achieving this aim by 2030. This will be achieved through a mix of low-carbon construction, renewable power, circular economy principles, carbon offsetting — and by empowering everyone who lives and works in the new town to make low-carbon lifestyle choices of their own.

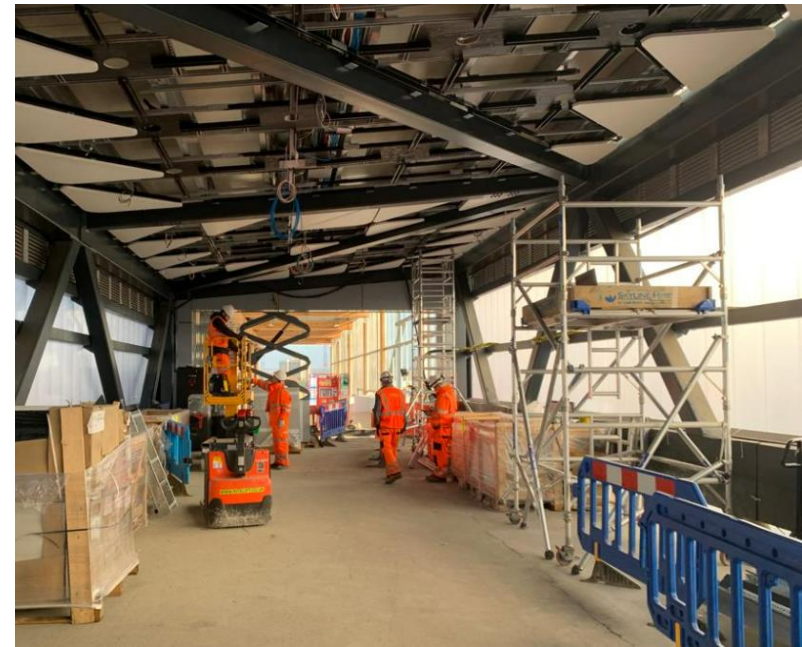
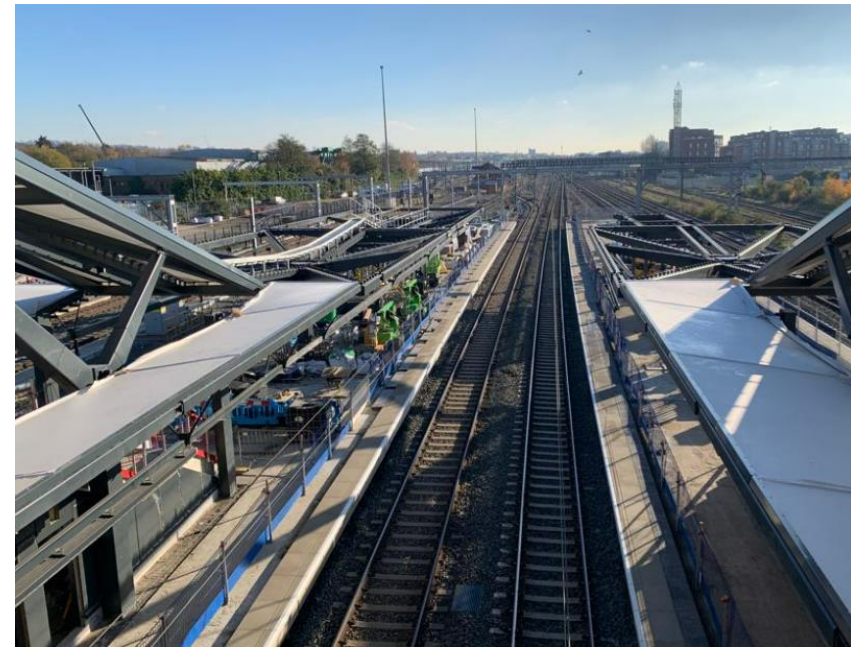
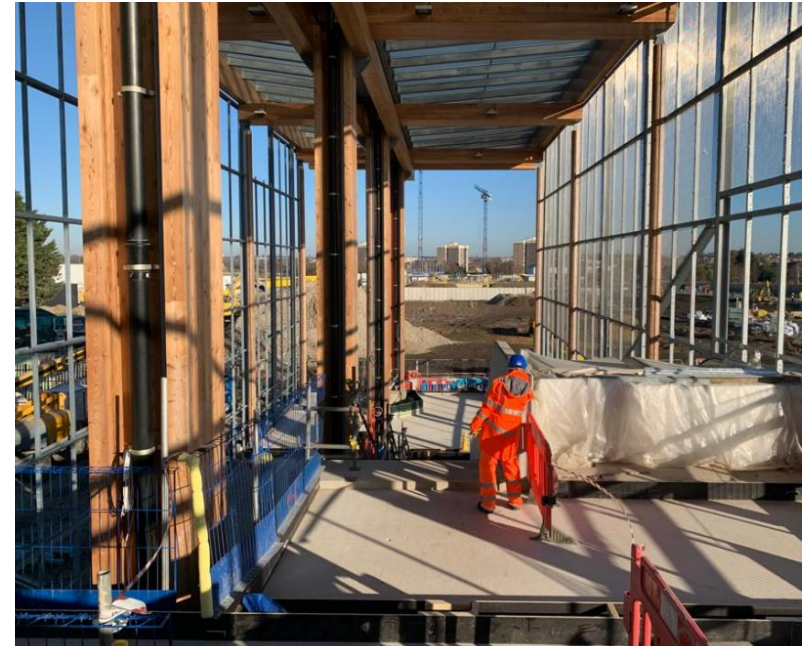
5.9.2. The new Town will be served by a new train station with bus connections which will promote use of public transport and take cars off the road. The station creates a new walking route across the midland mainline railway making this a much more feasible journey for pedestrians and cyclists in the area. Improvements to previously congested road junctions will improve idling time and traffic flows in these areas.

6. Background papers

- Housing and Growth Committee, 16 November 2022, Brent Cross Cricklewood Update Report

<https://barnet.moderngov.co.uk/documents/s75102/PUBLIC%20-%20BX%20HG%20FINAL%2016%20Nov%2022.pdf>

Brent Cross West Station Progress Pictures – December 2022



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Brent Cross Government Assurance Board

16th November 2022

Brent Cross Town update

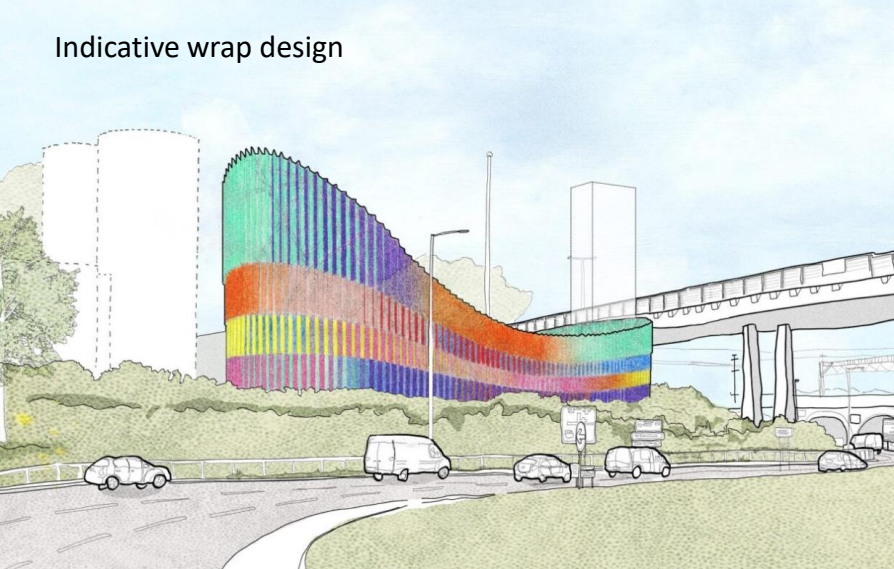
- Legal agreements complete for Lot 2 plots and plot 25.
- [Public announcement](#) of investment in Brent Cross Town first phase widely publicised.
- The Reserved Matters application for Plot 1 unanimously approved by the Strategic Planning Committee on 6th October. Following this [Related Argent have announced that](#) Sheffield Hallam University will be opening a new satellite hub for 5,000 students in Plot 1.
- The third round of consultation for Clitterhouse Playing Fields was held in September. We are working with Related Argent on incorporating and considering feedback before planning permission is submitted.
- Cricklewood Coffee Roasters has opened its doors on Claremont Way NW2 1AJ. The roastery opening marks the completion of improvements to the parade of shops.
- Programme ongoing to secure vacant possession of community foods building to transform into a temporary use sports facility.
- focusing on community benefits through the s106 agreement in the coming year, and post Lot 2.



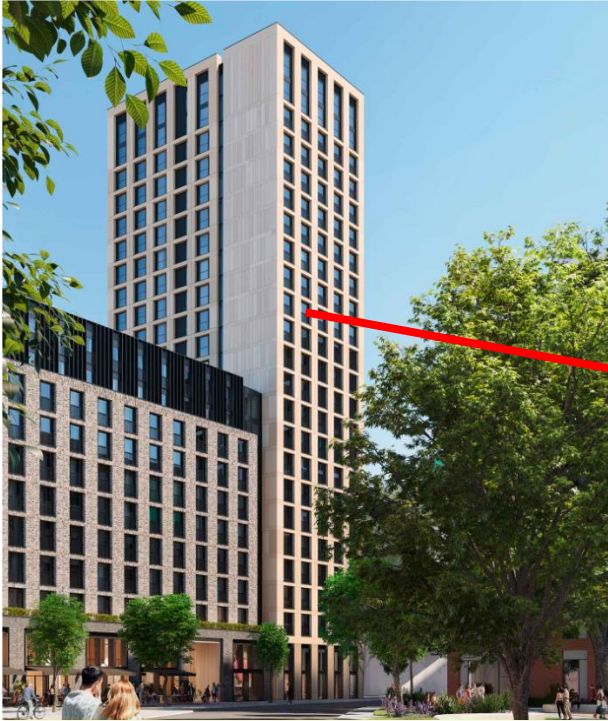
Plot 1 CGI

Site Update – Substation energy centre

- Part of building a Net Zero Carbon Town
- Steel ‘wrap’ to be 100% reused steel
- Exploring opportunities to use net zero energy to support wider borough decarbonisation



Site Update – Plot 25



Lot 2 Update

- Legal agreements have been completed for Lot 2 plots and CLC capital receipt has been received for these plots.
- The first of many cranes has been erected on site (see image). This one is for the construction of plot 12 and 202.
- Works are expected to commence on Plot 13 in December 22, Plot 14 in May 23 and Plot 203 in December 23.



Site Update



Brent Cross West Station

Sub Station

Plot 1

Plot 14

Plot 13 / 203

Plot 25

Plot 12 / 202

2022-10-11_Galdris_Drone_Survey_S2.jpg



Clitterhouse Playing Fields

Existing Approved Design | 2015



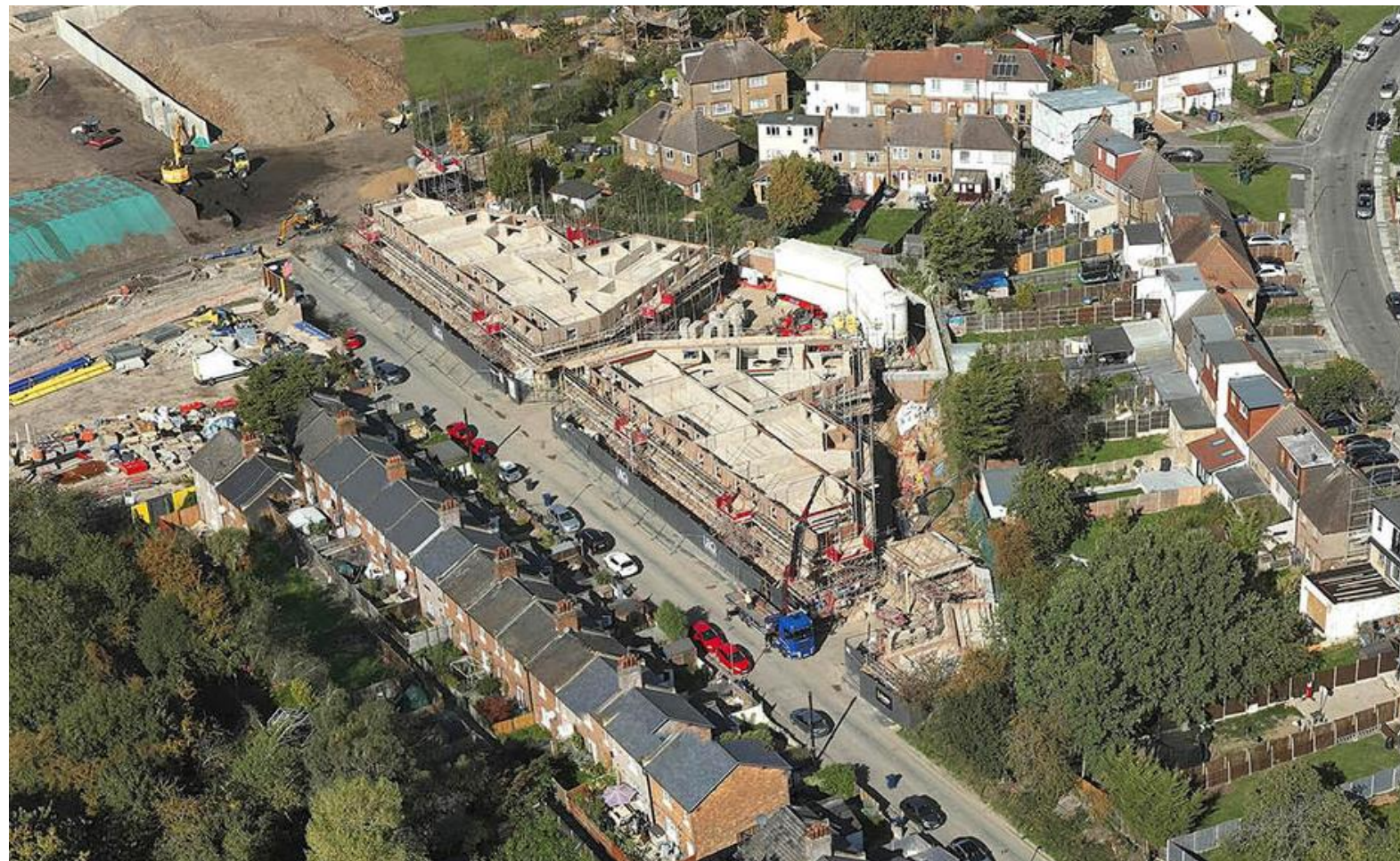
Updated Design | 2022



BXCI Construction update

Plots 53/54

- Whitefield estate replacement units - 47 homes, between Brent Terrace and Clitterhouse Crescent. To be the first completed homes of the Brent Cross development. Completion date for works is May 2023.
- Elevation work is progressing up to level two with scaffolding, brickwork, roof & waterproofing being undertaken.
- Issues associated with dirt on the road have reduced over the last two months.
- Experimental Traffic Regulation Order (ETRO) being implemented on Brent Terrace ahead of permanent CPZ.



Donoghue Update

- A Reserved Matters planning application has been submitted by Chase New Homes Ltd for the redevelopment of the site PB Donoghues on Claremont Road.
- The site is within Section 73 Planning Permission for Brent Cross.
- The proposal will deliver 251 flats within three buildings with heights ranging from 4 to 8 storeys, alongside landscaping, access and car parking provision.
- Chase New Homes has also submitted an application for the improvement works to Millennium Green which is an existing green space to the north of the PB Donoghues site.



Programme update - Isolation/ possession cancellations

- Cancellations of weeks 25, 27 & 28 possessions
- **Week 32** (5/6 November) all line 48hr possession. Very productive despite some more extreme weather conditions. Most primary steelwork has now been installed on the slow line feature canopies and waiting rooms. The fast platform northern waiting room core steelwork was also installed.
- **Week 33** (12/13 November) all line 48hr possession. Not all planned works were completed. Some primary and secondary steelwork to platform waiting rooms and secondary steelwork to feature canopies remain outstanding. Feature canopies installed however alignment issues to be resolved

Weekend		Lines	Hours	Critical Works Planned
Cancelled Work Access				
Week 25	17/18 Sept	ALL	48	Slow platform feature canopies
Week 27	1/2 Oct	Fasts	13	Fast platform feature canopies
Week 28	8/9 Oct	Fasts	13	Fast platform feature canopies

Re-Planned Work Access				
Week 30	22/23 Oct	Slows	30	Slow platform feature canopies
Week 32	5/6 Nov	ALL	48	Slow platform waiting rooms Fast platform feature canopies
Week 33	12/13 Nov	ALL	48	Fast platform waiting rooms

Programme Updates

Brent Cross West Station - Safety

- Following a number of minor safety incidents on site Mace and VFL are instigating a renewed focus and emphasis on safety planning and management at site.

Brent Cross West Station – Work progress

- Lower canopy fabric installation progressing - ***Architen Landrell***
- Removal of slow platform trojan horses - ***Palmers***
- Installation of CMS to the lower canopies and fast platform riser - ***Fourway***
- Cladding installation - ***Proform,***
- Anti-trespass fencing - ***Oliver Connells***
- Screeding of the concourse flooring - ***DMC,***
- Final fixing of the suspended ceiling system – ***Lindner***
- Studwork, insulation and membrane for the platform buildings continues - ***Adept,***
- Mullion installation to the western entrance nearing completion - ***Advanced Glass .***

Programme Updates

Brent Cross West - RSS

- Rail System and Sidings - Amey successfully completed "Over and Back Westpac interlocking alterations" for the new Up Slow signal, completed track circuit installation, completed signal sighting of new signals (remaining out of use) and linked Signal Post Telephone (SPT) circuits to West Hampstead.
- Amey also installed and commissioned the Automated Selective Door Opening (ASDO) on the station and the Permanent Speed Restriction (PSR) for the South Sidings.
- Amey continues planning for the commissioning of the new Up Slow signal.

Site Cabins and Viewing Deck

- Relocating of site cabins works resumes on Monday the 21st until Friday the 25th of November. Carpark spaces will be limited, due to continuous lifting operations and moving plant (MEWPS) operating around the office/welfare area.

BXW Programme Updates

Feature Canopies



BXW Programme Updates



Feature Canopies

BXW Programme Updates



BXW Programme Updates



Internal and external brickwork to SWEB approx. 1/3 of the way to completion

BXW Programme Updates

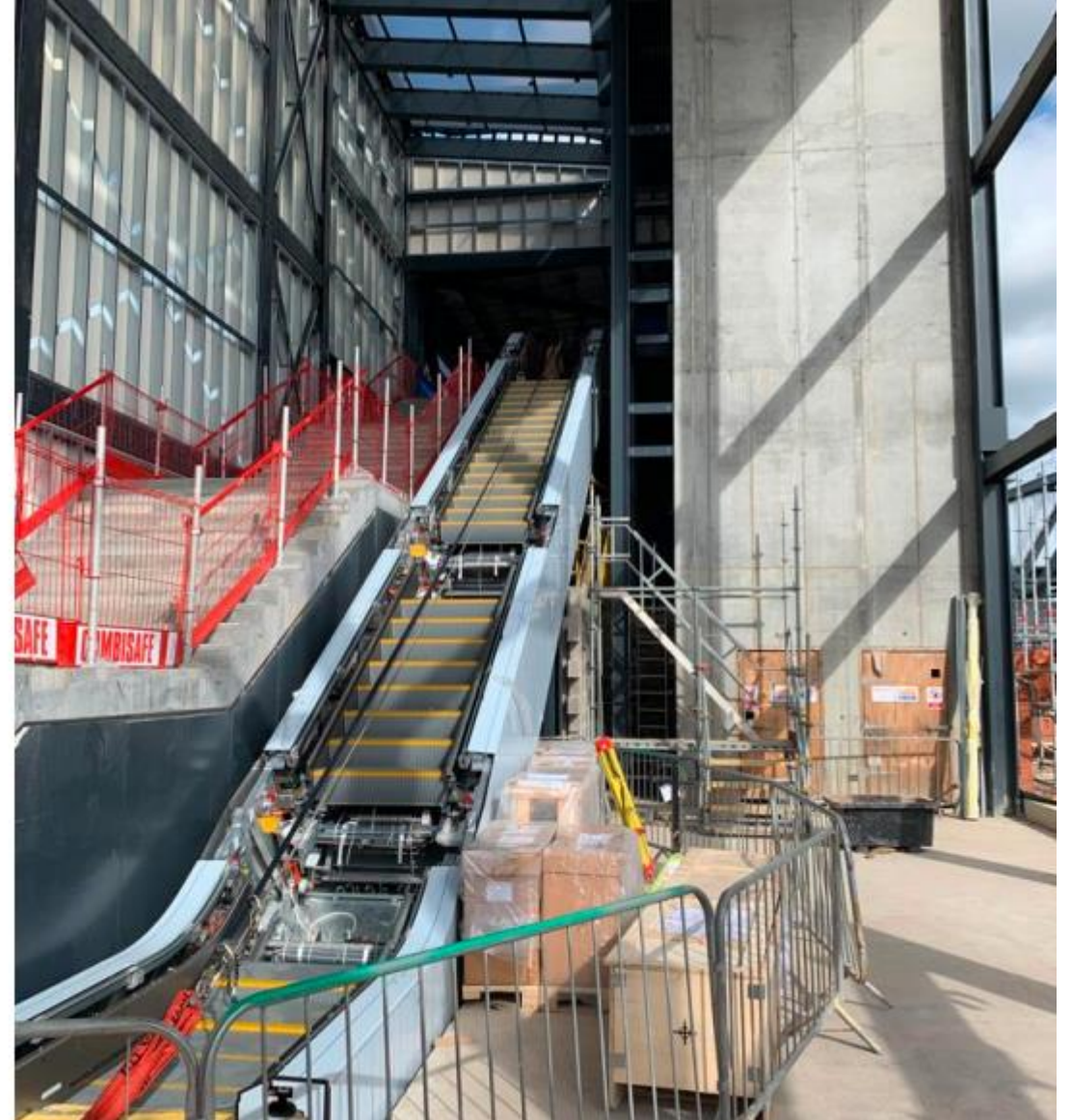


Western Entrance

BXW Programme Updates



WEB escalator installed



BXW Programme Updates



Floor screed to the central concourse, EOB and WOB complete.

BXW Programme Updates



218



Ceiling tile installation on WOB commenced.

BXW Programme Updates



Canopy roof sheeting in possession to lower platform canopies 30% complete.



Stair and platform canopies

BXW Programme Updates



WEB curtain wall mullions and paint touch ups in progress
Internal brickwork first lift installed to the north elevation



CMS installation to platform canopies

BXW Programme Updates



Western Entrance

BXW Programme Updates



Aerial View

BXW Programme Updates



SEEB – South Elevation Hoarding

BXW Programme Updates



SEEB Lighting Installation



AGENDA ITEM 16

Housing & Growth Committee

17th January 2023

Title	Implementation of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
Report of	Chair of Housing and Growth Committee
Wards	All
Status	Public
Urgent	No
Key	Key
Enclosures	Appendix 1 – Assessment for civil penalties issued under The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
Officer Contact Details	Belinda Livesey, Private Sector Housing Manager belinda.livesey@barnet.gov.uk Paul Maguire, Team Leader, Private Sector Housing paul.maguire@barnet.gov.uk

Summary

From April 2021, local housing authorities have the power to issue civil penalties of up to £30,000 on landlords for failure to comply with the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. This report sets out the powers and obligations introduced by these regulations aimed at targeting the worst performing landlords and improving the private rental sector. The report also sets out how the Council will implement them.

Officers Recommendations

This report seeks agreement that:

1. The Housing and Growth Committee endorses the approach detailed in Appendix 1 to determine the amount of the (civil) penalty charge under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, and for this addition to be made to the Regulatory Enforcement Policy.

2. The Housing and Growth Committee delegate authority to the Deputy Chief Executive to implement any minor amendments needed to the Council's Regulatory Enforcement Policy in respect of the imposition of these civil penalties.
3. The Housing and Growth Committee note that the current schemes of delegation will be updated as appropriate to include the powers under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

1. Why this report is needed

- 1.1 Barnet Council recognises the important role that the private rented sector plays in providing housing in the borough. The Private Sector Housing Team (PSH) is reactive and proactive in enforcing property and management standards and also responds to complaints of poor and/or dangerous housing conditions.
- 1.2 A full range of housing activities are currently in place to drive up standards in the borough. This includes:
 - Advice and support for landlords
 - Additional and Mandatory Licensing Schemes for Houses in Multiple Occupation (HMOs) including pre licensing inspections and compliance visits
 - Partnership working with the London Landlord Accreditation Scheme and associated discounts for accredited landlords
 - Service of enforcement notices and associated prosecutions, penalty notices and works in default of the notice in line with the Regulatory Services Enforcement Policy
 - Service of Prohibition Orders where accommodation is too unsafe for the tenant to remain or to prohibit the use of part or all of the premises for some or all purposes, or occupation by particular numbers or descriptions of people vulnerable to the hazard and associated prosecutions in line with the Regulatory Services Enforcement Policy where the order is not complied with.
- 1.3 Work is undertaken in partnership with other relevant Council departments including CAFT, Council Tax, the Planning Enforcement Team, the Community Safety Team and Social Services. Also enforcement work is undertaken with external partners including the London Fire Brigade, Police and Immigration services.
- 1.4 On a regular basis however poor accommodation is still encountered.
- 1.5 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are designed to ensure electrical safety within the private rented sector in England by requiring landlords to have the fixed electrical installation within rented properties inspected at least every five years.
- 1.6 Existing legislation already requires landlords to keep their properties free from electrical hazards. It has previously been best practice for landlords to organise periodic inspection and testing and to provide an electrical safety report to the tenant. These Regulations put best practice on a statutory footing.

- 1.7 All landlords in the private rented sector must now make sure the electrical installations in their rented properties are safe.
- 1.8 The Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of the electrical safety report to their tenants, and if requested to their local authority.
- 1.9 Following failure to comply with the Regulations, a local housing authority can impose a financial penalty of up to £30,000 on a landlord.
- 1.10 Local housing authorities should develop and document their own policy on how they determine appropriate financial penalty levels under these regulations. The maximum amount is expected to be reserved for the very worst offenders.
- 1.11 In line with government guidance consideration has been given the statutory guidance note *Statutory guidance for local housing authorities on civil penalties- Civil penalties under the Housing and Planning Act 2016* and to the [policy previously developed by Barnet for civil penalties under the Housing and Planning Act 2016](#).
- 1.12 In relation to the condition of houses in multiple occupation existing provisions in Regulation 6(3) of the Management of Houses in Multiple Occupation (England) Regulations 2006 have been repealed, ensuring all properties are in scope of the new Regulations.
- 1.13 Schedule 4 of the Housing Act 2004 has been amended by the new Regulations to require a new mandatory licence condition for licences granted under Parts 2 and 3 of the Housing Act 2004.

2. Reasons for recommendations

- 2.1 This report sets out the new enforcement powers introduced under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. These were introduced from April 2021. The Government wants to support good landlords who provide decent well maintained homes and avoid unnecessary regulation which increases costs and red tape for landlords and also pushes up rents for tenants, but acknowledges that a small number of landlords knowingly rent out unsafe and substandard accommodation.
- 2.2 Use of these regulations will complement the housing enforcement work already being undertaken by the London Borough of Barnet.

3. Alternative options considered and not recommended

- 3.1 Doing nothing is not considered acceptable. Local Housing Authorities are expected to make full use of this legislation which is considered to supplement and enhance the existing powers.

4. Post decision implementation

- 4.1 If the Committee is minded to support the recommendation then the relevant scheme of delegation will be updated, the policy posted on the Council's website and the new method of enforcement implemented.

5. Implications of decision

Corporate Priorities and Performance

- 5.1 A new Corporate Plan is in development, with an approach being built around a council that cares for people, our places, and the planet, as discussed at the Policy and Resources Committee meeting on 29 September 2022. Under the People priority, it aims to be family friendly, tackle inequality, and support health and independence. Under the Place priority, it aims to ensure safe, attractive neighbourhoods, quality homes, sustainable growth, and thriving town centres and make Barnet a fun place to visit. Under the Planet priority, it aims to focus on the council's journey to net zero, local environment, and green spaces.
- 5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.2.1 **Finance & Value for Money:** The fines levied through Civil Penalties can be retained by the Local Authority if the income is used to further the Local Authority's statutory functions in relation to enforcement activities in the private rented sector. Penalties will be set on a case-by-case basis in line with the proposed amendments to the Regulatory Services Enforcement policy in Appendix 1, and as such it is not possible to estimate the level of income from these penalties. It is anticipated that these provisions will encourage landlords to be more compliant and as such the issuing of fines and the associated administrative work should be kept to a minimum.
- 5.2.2 **Procurement:** Currently there are no procurement implications.
- 5.2.3 **Staffing:** Currently there are no staffing implications.
- 5.2.4 **IT:** Civil Penalties will be recorded and monitored using the Regulatory Services existing data management system and associated document management system.
- 5.2.5 **Property:** Currently there are no property implications.
- 5.2.6 **Sustainability:** Currently there are no negative sustainability implications in improving private rented housing.

5.3 Legal and Constitutional References

- 5.3.1 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 detail the duties on private landlords of residential premises in relation to electrical safety, as well as the duties on local housing authorities to intervene in certain circumstances including serving notices and carrying out remedial work. In addition local housing authorities are given the power to impose financial penalties on private landlords who breach their duty under the regulations.
- 5.3.2 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing & Growth Committee including:

(1) *Responsibility for:*

- *Housing (including housing strategy; homelessness; social housing and housing grants; private sector housing and leasing; housing licensing and enforcement; HRA Revenue Account and Capital Programme)*
- *Regeneration Strategy and Overseeing Major Regeneration Schemes*
- *Asset Management*
- *Development of Council Land*
- *Fire Safety*
- *Economic Development including Employment Strategy; Business Support and Engagement; and Town Centres*

(2) *To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.*

(3) *To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.*

5.4 Insight

5.4.1 There is no insight relevant to this report.

5.5 Social Value

5.5.1 The new powers will support and expand the Council's current housing enforcement activities delivering improvements to accommodation and will target the worst performing landlords and deliver social benefits for residents in relation to improvement in standards of the private rented sector.

5.6 Risk Management

5.6.1 The proposed amendment to the policy with this approach for the offences in these Regs will ensure that penalties are transparent and proportionate to the offence.

5.6.2 The administration associated with implementing civil penalties is complex. Care will need to be taken to ensure that any income from these courses of action, at a minimum, cover the administration cost of the action taken. This will need to be closely monitored and regularly reviewed.

5.7 Equalities and Diversity

5.7.1 This report is in accordance with the current Council's Corporate Plan 2021-2025 which is based on four priorities: Clean, safe, and well run; Family Friendly; Healthy and Thriving. Delivered using a preventive approach and considering equalities in all that we do.

5.7.2 The Equality Act 2010 sets out the Public Sector Equality Duty which requires public bodies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not
- foster good relations between persons who share a relevant protected characteristic and persons who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.7.3 Implementation of this legislation has been reviewed against the protective characteristics and it is considered that there will not be any specific adverse impact on any of the groups.

5.7.4 Any enforcement action taken will need to be in line with the Enforcement Policy.

5.7.5 It is considered that housing enforcement action requiring the improvement of accommodation has an overall positive impact for landlords, tenants, residents and businesses by virtue of the potential improvement to the quality and management of accommodation in the borough.

5.7.6 In addition, there are potential benefits arising from the increased choice of high quality, well-managed affordable housing.

5.8 Corporate Parenting

5.8.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

5.9 Consultation and Engagement

5.9.1 There has been no specific consultation on the approach.

5.9.2 If the approach detailed is supported this will be actively communicated through:

- Social media
- The Council's website
- Communication to landlords
- Communication to tenants

5.10 Environmental Impact

5.10.1 There are no direct environmental implications in relation to this report.

6. Background papers

6.1 [The Electrical Safety Standards in the Private Rented Sector \(England\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

6.2 [Enforcement policy \(revised HAG February 2022\) \(1\).odt \(live.com\)](#)

6.3 [Statutory guidance for local housing authorities on civil penalties- Civil penalties under the Housing and Planning Act 2016](#)

Report Clearance Checklist

(Removed prior to publication and retained by Governance Service)

Note: All reports must be cleared by the appropriate Committee Chair, Chief Officer, Legal, Finance and Governance as a minimum. Report authors should also engage with subject matter experts from other service areas where this is required (e.g. procurement, equalities, risk, etc.). The name and date that the chair or officer has cleared the report must be included in the table below or the report will not be accepted.

Legal, Finance and Governance require a minimum of 5 working days to provide report clearance. Clearance cannot be guaranteed for reports submitted outside of this time and your report is likely to be withdrawn from the agenda and deferred to the next scheduled meeting.

Author to complete table below:

Who	Clearance Date	Name
Committee Chair	5/1/23	Cllr Houston
Chief Officer	6/1/23	Cath Shaw Stephen McDonald
HB Public Law	9/1/23	Paresh Mehta
Finance	29/12/22	Nicholas Stylianou
Governance	5/1/23	Allan Witherick
Head of Service	5/1/23	Chris James Susan Curran

Appendix 1

Amendments to the Development and Regulatory Services Enforcement Policy introduced through the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force in April 2021. Through section 3 and Schedule 2 of this legislation the government has provided more powers for local authorities to act against non-compliant landlords. This includes:

- Ensuring that national standards for electrical safety are met.
- Ensuring that all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years
- Obtaining a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test
- Supplying a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supplying a copy of this report to a new tenant before they occupy the premises.
- Supplying a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supplying the local housing authority with a copy of this report within 7 days of receiving a written request
- Retaining a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.

The level of civil penalty imposed must be in line with the this policy.

The amount levied in any case should reflect the severity of the offence, as well as account for the landlords previous record of offending. The factors that should be considered to ensure that the civil penalty is set at an appropriate level in each case are as follows:

a) **Severity of the offence.** The more serious the offence, the higher the penalty should be.

b) **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.

c) **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.

d) **Punishment of the offender.** A civil penalty should not be regarded as an easy option. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.

e) **Deter the offender from repeating the offence.** The goal is to prevent any further offending and help ensure that the landlord fully complies with all their legal responsibilities in future. The penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.

f) **Deter others from committing similar offences.** While the fact that someone has received a civil penalty may not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending. The Council will publicise any civil penalties that have been issued whilst the details will remain confidential.

g) **Remove any financial benefit the offender may have obtained because of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit because of committing an offence, i.e., it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

Civil Penalty Matrix

Officers setting civil penalties will have regard to the Barnet's Civil Penalty Matrix. This will be used for breaches under the regulations as a guide assessing the appropriate civil penalty to be levied. Fines must be set on a case-by-case basis, but officers must be clear of the factors informing each civil penalty.

Harm	Culpability	Starting assessment baseline
Moderate	Moderate	£750
Moderate	Substantial	£5,000
Moderate	Extreme	£10,000
Substantial	Moderate	£10,000
Substantial	Substantial	£15,000
Substantial	Extreme	£20,000
Extreme	Moderate	£15,000
Extreme	Substantial	£20,000
Extreme	Extreme	£25,000

A seven-step process will be used for setting civil penalty levels.

Step 1: Severity of the offence

Objective: to determine the level of harm that was or could have been caused by the offence

The offence is to be assessed against the degree of potential or actual harm caused, both to individual tenant and more widely, for example:

- Nature/extent of hazards present.
- Vulnerability of tenants e.g. age, illness, disability, someone with language issues etc.
- Evidence of discrimination/action against the tenants
- Number of persons and/or households affected e.g. single family or HMO
- Level of risk to occupiers or third parties

Step 2: Culpability

Objective: to determine the offender's culpability as deliberate, reckless, or negligent. Renting out or managing residential property is a business and it is the responsibility of a landlord or letting agent to ensure that they are fully aware of their legal responsibilities. Ignorance of the law is not an excuse and generally, therefore, the presumption should be that any offence was deliberately committed, unless the landlord or letting agent can demonstrate otherwise.

The offender to be assessed against three levels of culpability:

- Deliberate: offender intended to cause harm or ignored legal responsibilities.
- Reckless: offender was reckless as to whether harm was caused, or duties were not complied with.
- Negligent: failure to ensure awareness of legal responsibilities.

Step 3: Initial assessment of civil penalty

Objective: to reach an *initial assessment* of the civil penalty based on severity of the offence and culpability.

Step 4: Track record of landlord

Objective: to consider the offender's track record and issues that may influence the civil penalty.

- Has committed similar offences before
- Offence was planned
- Experienced landlord who should know responsibilities
- Owns several properties so should be aware of the legislation (i.e., not a single property landlord)
- Period over which offence(s) committed
- High level of profit/sought profit from the offence
- Offender is a letting agent
- Attempt to cover up evidence of offence
- Landlord with a generally well managed portfolio

Step 5: Any mitigating factors

Objective: to consider any mitigating factors and whether they are relevant to the offence e.g., ill health of landlord, obstructive behaviour of third parties etc

Step 6: Revised assessment

Objective: to reach a *provisional* overall assessment of a civil penalty appropriate to the offence based on following the above steps. The civil penalty imposed should never be less than what it would have cost the landlord to comply in the first place, to incentivise compliance.

Step 7: Check

Check that the provisional civil penalty assessment meets the aims of the sentencing principles:

- Punishment of offender
- Reduction of/stopping crime
- Deterrent for other potential offenders
- Reform of offender
- Protection of public
- Reparation by offender to victim(s)
- Reparation by offender to community

Check that the provisional assessment is proportionate and will have an appropriate impact.

- This step should take account of the offender’s income and assets and adjusted within band or band changed accordingly. The general presumption should be that a civil penalty should not be revised downwards simply because an offender has (or claims to have) a low income. The Crown and Courts Act 2013 expressly permits the value of an offender’s assets, e.g., their rental portfolio, to be considered when determining an appropriate penalty.
- For example, if a landlord with a large portfolio was assessed to warrant a low civil penalty, the civil penalty might require adjustment to have sufficient impact, and to conform to sentencing principles above.

Assessment Table for civil penalties issued under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

This assessment table is to demonstrate how the civil penalty assessment will be completed under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. This may be revised and updated in line with the guidance contained in the committee report.

Details of offence	
Legal Contravention	
Condition of premises	
Number of tenants	
Number of households	
Any vulnerability of the tenants	

Had the landlord received any previous communication regarding the offence (add dates and detail of communication)					
Were any other properties affected by the offence?					
Is there evidence that the landlord has tried to avoid his legal responsibilities e.g., threatened the tenants or acted in a discriminatory way in relation to the tenants					
Severity of offence					
<ul style="list-style-type: none"> • Nature/extent of hazards present. • Vulnerability of tenants e.g., age, illness, disability, someone with language issues etc. • Evidence of discrimination/action against the tenants • Number of persons and/or households affected e.g., single family or HMO • Level of risk to occupiers or third parties 					
Considerations					
Banding based on severity of offence considerations					
Extreme		Substantial		Moderate	
Culpability consideration					
<p>The offender to be assessed against three levels of culpability:</p> <ul style="list-style-type: none"> ▪ Deliberate: offender intended to cause harm or ignored legal responsibilities. ▪ Reckless: offender was reckless as to whether harm was caused, or duties were not complied with. ▪ Negligent: failure to ensure awareness of legal responsibilities. 					
Considerations					
Banding based on culpability considerations					
Extreme		Substantial		Moderate	

Initial assessment of civil penalty	Severity of Offence			Moderate			
				Substantial			
				Extreme			
	Culpability			Moderate			
				Substantial			
				Extreme			
	Initial civil penalty assessment			£			
Track record of landlord							
<ul style="list-style-type: none"> ▪ Has committed similar offences before ▪ Experienced landlord who should know responsibilities ▪ Owns several properties (i.e., not a single property landlord) ▪ Period over which offence(s) committed ▪ High level of profit from the offence/sought profit in committing ▪ Offender is a letting agent ▪ Attempt to cover up evidence of offence <p>(Penalty to be increased by a minimum of £1k for each aggravating factor)</p>							
Considerations		No considerations					
		Penalty increase					
Number of considerations		£					
No considerations		£0					
Mitigating Factors							
Any mitigating factors and whether they are relevant to the offence e.g., ill health of landlord, obstructive behaviour of third parties etc							
Penalty to be decreased by a minimum of £1k for each mitigating factor							
Considerations							
		Penalty decrease					
Number of considerations		£					

No considerations	£0	
Check		
<p>Check that the provisional civil penalty assessment meets the aims of the sentencing principles:</p> <ul style="list-style-type: none"> ▪ Punishment of offender ▪ Reduction of/stopping crime ▪ Deterrent for other potential offenders ▪ Reform of offender ▪ Protection of public ▪ Reparation by offender to victim(s) ▪ Reparation by offender to community <p>Check that the provisional assessment is proportionate and will have an appropriate impact.</p> <ul style="list-style-type: none"> • This step should take account of the offender’s income and assets and make final adjustments to the penalty calculation even where this results in a penalty point within another band. The general presumption should be that a civil penalty should not be revised downwards simply because an offender has (or claims to have) a low income. The Crown and Courts Act 2013 expressly permits the value of an offender’s assets, e.g., their rental portfolio, to be considered when determining an appropriate penalty • For example, if a landlord with a large portfolio was assessed to warrant a low civil penalty, the civil penalty might require adjustment to have sufficient impact, and to conform to sentencing principles above. 		
Considerations		
Civil penalty assessment before discounts		
Discounts:	Details	Total Amount of Discount (£)
(a) Works of compliance within the representation period? (discount of 20% to be applied)		
(b) Accreditation course with the London Landlord Accreditation scheme booked within the representation period. (discount of 10% to be applied)		

(c) Total discounts (maximum 30%)		
Outcome of totality consideration (see appendix A) Revised civil penalty assessment where appropriate to ensure the penalty is proportionate and reasonable	£	
Final assessment of civil penalty	£	

Appendix A – Totality Assessment for Civil Penalties under the Housing Act 2004 (as amended)		
	Contravention	Penalty
1		
2		
3		
4		
5		
	Total penalty	
	Is penalty proportionate and reasonable taking into consideration the severity of the offences and culpability	Yes/no
	Explain the answer above	
	Final assessment	

Imposing a civil penalty

Schedule 2 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 sets out the process which must be followed when imposing a civil penalty.

Notice of Intent

Before imposing a civil penalty on a landlord or agent, the Council must serve a 'notice of intent' on the landlord or agent in question. This notice must be served within 6 months of the last day on which the Council has evidence of the offence occurring. This notice must contain the following information:

- The amount of the proposed civil penalty.
- The reasons for proposing to impose a civil penalty, and.
- Information about the Landlord's right to make representations to the Council.

In addition, a copy of the Assessment Form will be issued at this stage for each penalty plus any documented totality considerations.

Representations

Any landlord who is in receipt of a notice of intent has the right to make representations against that notice within 28 days beginning the day after the date on which the notice was given.

Representations can be against any part of the proposed course of action. All representations from landlords will be considered by an appropriate senior colleague.

Where a landlord challenges the amount of the civil penalty, it will be for the landlord to provide documentary evidence (e.g., information on financial means, hardship, commentary to counter the content of the notice or intention, accreditation, tenancy agreements etc.) to challenge the assessment of the penalty. Where no such supporting evidence is provided, the representation against the amount generally will not be accepted.

Written responses will be provided to all representations made by the recipients of a Notice of Intent. No other parties have an automatic right to make representations but if any are received, they will be considered on a case-by-case basis and responded to where the Council considers it necessary.

Final Notice

Once the representation period has ended, the Council must decide, taking into consideration any representations that were made, whether to impose a civil penalty and the final amount of the civil penalty. The final amount of a civil penalty can be a lower amount than was proposed in the Notice of Intent, but it cannot be a greater amount.

The imposing of a civil penalty involves serving a Final Notice and this notice must contain the following information:

- The amount of the financial penalty.
- The reasons for imposing the penalty.
- Information about how to pay the penalty.
- The period for payment of the penalty.
- Information about rights of appeal, and.
- The consequences of failure to comply with the notice.

The period of payment for the civil penalty must be 28 days beginning with the day after that on which the notice was given.

Withdrawing or Amending Notices

At any time, the Council may withdraw a Notice of Intent or a Final Notice or reduce the amount of a civil penalty. This is done by giving notice in writing to the person on whom the notice was served.

Where a civil penalty has been withdrawn, and there is a public interest in doing so, the Council can still pursue a prosecution against the landlord for the conduct for which the penalty was originally imposed. Each case will be considered on a case-by-case basis and will be subject to the six month statutory limitation for criminal offences.

Appeals to the Tribunal

If a civil penalty is imposed on a landlord/agent, that Landlord can appeal to the First-tier Tribunal (“the Tribunal”) against the decision to impose a penalty or the amount of the penalty. Appeals must be made within 28 days of the date the final notice was issued. The Tribunal has the power to confirm, vary (increase or reduce) the size of the civil penalty imposed by the Council, or to cancel the civil penalty. Where an appeal has been made, this suspends the civil penalty until the appeal is determined or withdrawn.

Payment of a civil penalty

A civil penalty must be paid within 28 days, beginning with the day after that on which the final notice was given (“the 28 day payment period”), unless that notice is suspended due to an appeal. Details of how to pay the penalty will be provided on the final notice.

Other consequences of having a civil penalty imposed

Where a civil penalty has been imposed on a landlord, this will form a part of our consideration when reviewing licence applications for properties in which they have some involvement. This includes licences under Part 2 or Part 3 of the Housing Act 2004.

Whilst a civil penalty will not automatically preclude us from granting a licence where such persons are involved, the reasons for imposing the penalty and the extent of the person’s involvement in the property will be considered.

Recovering an unpaid civil penalty

It is the policy of the Council to consider all legal options available for the collection of unpaid civil penalties and to pursue unpaid penalties in all cases through the county courts. Some of the orders available to the Council through the county courts are as follows:

- A Warrant of Control.
- A Third Party Debt Order.
- A Charging Order, and.
- Bankruptcy or insolvency.

A certificate, signed by the Chief Finance Officer for the Council and stating that the amount due has not been received by the date of the certificate, will be accepted by the courts as conclusive evidence of the payment due.

Where a Charging Order has been made, the Council can consider applying for an Order for Sale against the property or asset in question. When considering which properties to apply for a Charging Order against, the Council can consider all properties owned by the Landlord and not just the property to which the offence relates.

Where the civil penalty was appealed and the Council has a tribunal decision, confirming or varying the penalty, the decision will be automatically registered on the Register of Judgments, Orders and Fines, once accepted by the county court. Inclusion on this Register may make it more difficult for the Landlord to get financial credit.

Income from civil penalties

Any income from Civil Penalties is retained by the Local Housing Council which imposed the penalty. The Council may spend any income from Civil Penalties on its enforcement functions in relation to the private rented sector.

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Housing & Growth Committee 17th January 2023

Title	Implementation of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
Report of	Chair of Housing and Growth Committee
Wards	All
Status	Public
Urgent	No
Key	Key
Enclosures	Appendix 1 – Assessment for civil penalties issued under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
Officer Contact Details	Belinda Livesey, Private Sector Housing Manager Belinda.livesey@barnet.gov.uk Paul Maguire, Team Leader, Private Sector Housing paul.maguire@barnet.gov.uk

Summary

Local housing authorities now have the power to issue civil penalties of up to £5,000 on landlords with new and existing tenancies for failure to comply with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. This report sets out the powers and obligations introduced by these regulations aimed at targeting the worst performing landlords and improving the private rental sector. The report also sets out how the Council will implement them.

Officers Recommendations

This report seeks agreement that:

1. The Housing and Growth Committee endorses the approach detailed in Appendix 1 to determine the amount of the (civil) penalty charge under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, and for this addition to be made to the Regulatory Enforcement Policy.

2. The Housing and Growth Committee delegate authority to the Deputy Chief Executive to implement any minor amendments needed to the Council's Regulatory Enforcement Policy in respect of the imposition of these civil penalties.
3. The Housing and Growth Committee note that the current schemes of delegation will be updated as appropriate to include the powers under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

1. Why this report is needed

- 1.1 Barnet Council recognises the important role that the private rented sector plays in providing housing in the borough. The Private Sector Housing Team (PSH) is reactive and proactive in enforcing property and management standards and responds to complaints of poor and/or dangerous housing conditions.
- 1.2 A full range of housing activities are currently in place to drive up standards in the borough. This includes:
 - Advice and support for landlords
 - Additional and Mandatory Licensing Schemes for Houses in Multiple Occupation (HMOs) including pre licensing inspections and compliance visits
 - Partnership working with the London Landlord Accreditation Scheme and associated discounts for accredited landlords
 - Service of enforcement notices and associated prosecutions, penalty notices and works in default of the notice in line with the Regulatory Services Enforcement Policy
 - Service of Prohibition Orders where accommodation is too unsafe for the tenant to remain or to prohibit the use of part or all of the premises for some or all purposes, or occupation by particular numbers or descriptions of people vulnerable to the hazard and associated prosecutions in line with the Regulatory Services Enforcement Policy where the order is not complied with.
- 1.3 Work is undertaken in partnership with other relevant Council departments including CAFT, Council Tax, the Planning Enforcement Team, the Community Safety Team, and Social Services. Also, enforcement work is undertaken with external partners including the London Fire Brigade, Police, and Immigration services.
- 1.4 On a regular basis however, poor accommodation is still encountered.
- 1.5 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 are designed to tackle the least energy-efficient properties in England and Wales, those rated F or G on their Energy Performance Certificate (EPC).
- 1.6 Landlords must not let or continue to let a relevant property which has an EPC rating of F or G unless that property has a valid exemption registered on the government's PRS Exemptions Register.
- 1.7 The council wrote to all Band E, F and G properties within the borough in Autumn 2022 inviting them to apply for a Green Homes Grant to help with the costs of

improving the property, including reference to up to £5,000 grant funding being available for landlords provided they also contributed towards the costs of improving the energy efficiency of the properties.

- 1.8 The Regulations require landlords of sub-standard properties, unless they have a valid exemption, to make energy efficiency improvements which raise the EPC rating to a minimum of an E.
- 1.9 Following failure to comply with the Regulations, a local housing authority can impose a financial penalty of up to £5,000 on a landlord.
- 1.10 Local housing authorities should develop and document their own policy on how they determine appropriate financial penalty levels. The maximum amount is expected to be reserved for the very worst offenders.

2. Reasons for recommendations

- 2.1 This report sets out the enforcement powers introduced under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. The Government wants to support good landlords who provide decent well maintained homes and avoid unnecessary regulation which increases costs and red tape for landlords and pushes up rents for tenants but acknowledges that a small number of landlords knowingly rent out unsafe and substandard accommodation.
- 2.2 Adoption of these powers will compliment the housing enforcement work already being undertaken by the London Borough of Barnet.

3. Alternative options considered and not recommended

- 3.1 Doing nothing is not considered acceptable. Local Housing Authorities are expected to make full use of this legislation which is considered to supplement and enhance the existing powers.

4. Post decision implementation

- 4.1 If the Committee is minded to support the recommendation then the relevant scheme of delegation will be updated, the policy posted on the Council's website and the new method of enforcement implemented.

5. Implications of decision

Corporate Priorities and Performance

- 5.1 A new Corporate Plan is in development, with an approach being built around a council that cares for people, our places, and the planet, as discussed at the Policy and Resources Committee meeting on 29 September 2022. Under the People priority, it aims to be family friendly, tackle inequality, and support health and independence. Under the Place priority, it aims to ensure safe, attractive neighbourhoods, quality homes, sustainable growth, and thriving town centres and

make Barnet a fun place to visit. Under the Planet priority, it aims to focus on the council's journey to net zero, local environment, and green spaces.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 **Finance & Value for Money:** The fines levied through Civil Penalties can be retained by the Local Authority if the income is used to further the Local Authority's statutory functions in relation to enforcement activities in the private rented sector. Penalties will be set on a case-by-case basis in line with the proposed amendments to the Regulatory Services Enforcement policy in Appendix 1, and as such it is not possible to estimate the level of income from these penalties. It is anticipated that these provisions will encourage landlords to be more compliant and as such the issuing of fines and the associated administrative work should be kept to a minimum.

5.2.2 **Procurement:** Currently there are no procurement implications.

5.2.3 **Staffing:** Currently there are no staffing implications.

5.2.4 **IT:** Civil Penalties will be recorded and monitored using the Regulatory Services existing data management system and associated document management system.

5.2.5 **Property:** Currently there are no property implications.

5.2.6 **Sustainability:** Compliance with these regulations will improve the energy efficiency of non-compliant private rented housing.

5.3 Legal and Constitutional References

5.3.1 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 detail the duties on private landlords of residential premises and local housing authorities in relation to energy efficiency. Local housing authorities are given the power to impose financial penalties on private landlords who breach their duty under the regulations.

5.3.2 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing & Growth Committee including:

(1) *Responsibility for:*

- *Housing (including housing strategy; homelessness; social housing and housing grants; private sector housing and leasing; housing licensing and enforcement; HRA Revenue Account and Capital Programme)*
- *Regeneration Strategy and Overseeing Major Regeneration Schemes*
- *Asset Management*
- *Development of Council Land*
- *Fire Safety*
- *Economic Development including Employment Strategy; Business Support and Engagement; and Town Centres*

(2) *To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.*

(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.

5.4 Insight

5.4.1 Based on a basic review of the Green Homes Grant data about EPC ratings across Barnet it is indicative that there are 2,900 properties within the borough falling below the EPC E standard, with approximately 840 homes that may be affected by the new enforcement policy. A further cross reference of our datasets will be completed to ensure that resources can be appropriately targeted and enforcement action take where necessary.

5.5 Social Value

5.5.1 The new powers will support and expand the Council's current housing enforcement activities delivering improvements to accommodation and will target the worst performing landlords and deliver social benefits for residents in relation to improvement in standards of the private rented sector.

5.6 Risk Management

5.6.1 The proposed amendment to the policy will ensure that penalties are transparent and proportionate to the offence.

5.6.2 The administration associated with implementing civil penalties is complex. Care will need to be taken to ensure that any income from these courses of action, at a minimum, cover the administration cost of the action taken. This will need to be closely monitored and regularly reviewed.

5.7 Equalities and Diversity

5.7.1 This report is in accordance with the current Council's Corporate Plan 2021-2025 which is based on four priorities: Clean, safe, and well run; Family Friendly; Healthy and Thriving. Delivered using a preventive approach and considering equalities in all that we do.

5.7.2 The Equality Act 2010 sets out the Public Sector Equality Duty which requires public bodies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not
- foster good relations between persons who share a relevant protected characteristic and persons who do not. The relevant protected characteristics

are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 5.7.3 Implementation of this legislation has been reviewed against the protective characteristics and it is considered that there will not be any specific adverse impact on any of the groups.
- 5.7.4 Any enforcement action taken will need to be in line with the Enforcement Policy.
- 5.7.5 It is considered that housing enforcement action requiring the improvement of accommodation has an overall positive impact for landlords, tenants, residents and businesses by virtue of the potential improvement to the quality and management of accommodation in the borough.
- 5.7.6 In addition, there are potential benefits arising from the increased choice of high quality, well-managed affordable housing.

5.8 Corporate Parenting

- 5.8.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

5.9 Consultation and Engagement

- 5.9.1 There has been no specific consultation on the approach.
- 5.9.2 If the approach detailed is supported this will be actively communicated through:
- Social media
 - The Council's website
 - Communication to landlords
 - Communication to tenants

5.10 Environmental Impact

- 5.10.1 Compliance with these regulations will improve the energy efficiency of non-compliant private rented housing and supports the council's sustainability strategy.

6. Background papers

- 6.1 [The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
- 6.2 [Enforcement policy \(revised HAG February 2022\) \(1\).odt \(live.com\)](https://www.live.com)
- 6.3 [Guidance on PRS exemptions and Exemptions Register evidence requirements - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Report Clearance Checklist

(Removed prior to publication and retained by Governance Service)

Note: All reports must be cleared by the appropriate Committee Chair, Chief Officer, Legal, Finance and Governance as a minimum. Report authors should also engage with subject matter experts from other service areas where this is required (e.g. procurement, equalities, risk, etc.). The name and date that the chair or officer has cleared the report must be included in the table below or the report will not be accepted.

Legal, Finance and Governance require a minimum of 5 working days to provide report clearance. Clearance cannot be guaranteed for reports submitted outside of this time and your report is likely to be withdrawn from the agenda and deferred to the next scheduled meeting.

Author to complete table below:

Who	Clearance Date	Name
Committee Chair	5/1/23	Cllr Houston
Chief Officer	4/1/23	Stephen McDonald
HB Public Law	9/1/23	Paresh Mehta
Finance	29/12/23	Nicholas Stylianou
Governance	6/1/23	Allan Witherick
Head of Service	5/1/22 5/1/22	Chris James Susan Curran

Appendix 1

Amendments to the Development and Regulatory Services Enforcement Policy introduced through The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 came into force in April 2020. Through Regulation 34 and 35 of this legislation, the government has provided more powers for local authorities to act against non-compliant landlords.

In the first instance, in line with the Corporate Enforcement Policy, the Council will engage informally with landlords who rent properties with F and G EPC ratings to advise them of the regulations and that their rented properties do not meet the Minimum Energy Efficiency Standards and therefore should not be rented out. The Council will offer advice on how the standards can be met and how to register an exemption, on the national PRS Exemptions Register if appropriate. [Choose where to start - PRS exemptions register \(beis.gov.uk\)](https://www.beis.gov.uk/prs-exemptions-register)

London Borough of Barnet Financial Penalty Fee Matrix

Where the Council decides to impose a financial penalty, they have discretion to decide the amount of penalty up to maximum limits set by the regulations.

All financial penalties may have a publication penalty which means publication on the private rented sector, (PRS) Exemptions Register for a period of at least 12 months in line with the information detailed within the regulations.

When determining a financial penalty, the council will use the following fee matrix as a guide to determine appropriate and proportionate penalties (amounts as a percentage of the maximum fine levels):

The amount levied in any case should reflect the severity of the offence, as well as considering the landlords previous record of offending. Several factors that should be considered to ensure that the civil penalty is set at an appropriate level in each case are as follows:

- a) **Severity of the offence.** The more serious the offence, the higher the penalty should be.
- b) **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- c) **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- d) **Punishment of the offender.** A civil penalty should not be regarded as an easy option. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.

e) **Deter the offender from repeating the offence.** The goal is to prevent any further offending and help ensure that the landlord fully complies with all their legal responsibilities in future. The penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.

f) **Deter others from committing similar offences.** The penalty details may be published (see below) and even if they aren't it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending. The Council will publicise any civil penalties that have been issued whilst the details will remain confidential.

g) **Remove any financial benefit the offender may have obtained because of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit because of committing an offence, i.e., it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

Civil Penalty Matrix

Officers setting civil penalties will have regard to Barnet's Civil Penalty Matrix. This will be used for breaches under the regulations as a guide when assessing the appropriate civil penalty to be levied. Fines will be set on a case-by-case basis, but officers must be clear of the factors informing each civil penalty.

The tables below show the financial penalty amounts for each type of offence:

a) Breach of less than 3 months (Max penalty £2,000)

	Moderate Culpability	Substantial Culpability
Moderate Harm	£ 500	£1,000
Substantial Harm	£1,000	£2,000

b) Breach of more than 3 months (Max penalty £4,000)

	Moderate Culpability	Substantial Culpability
Moderate Harm	£ 1,000	£2,000
Substantial Harm	£2,000	£4,000

c) Providing false or misleading information (Max penalty £1,000)

	Moderate Culpability	Substantial Culpability
Moderate Harm	£ 250	£500

Substantial Harm	£500	£1,000

d) Failure to comply with a Compliance Notice (Max penalty £2,000)

	Moderate Culpability	Substantial Culpability
Moderate Harm	£ 500	£1,000
Substantial Harm	£1,000	£2,000

Please Note - If two or more penalty notices apply the combined maximum per property, per breach is £5,000.

A seven step process will be used for setting civil penalty levels.

Step 1: Severity of the offence

Objective: to determine the level of harm that was or could have been caused by the offence
The offence to be assessed against the degree of potential or actual harm caused, for example:

- EPC rating of F or G.
- Vulnerability of tenants e.g., pregnant, over 65 or children under 5, low-income household, health conditions exacerbated by the cold, someone with language issues etc.
- Evidence of discrimination/action against the tenants

Step 2: Culpability

Objective: to determine the offender’s culpability as deliberate and/or reckless, or negligent. Renting out or managing residential property is a business and it is the responsibility of a landlord or letting agent to ensure that they are fully aware of their legal responsibilities. Ignorance of the law is not an excuse and generally, therefore, the presumption should be that any offence was deliberately committed, unless the landlord or letting agent can demonstrate otherwise.

The offender to be assessed against three levels of culpability:

- Deliberate/reckless: offender intended to cause harm or ignored legal responsibilities and/or offender was reckless as to whether harm was caused, or duties were not complied with or
- Negligent: failure to ensure awareness of legal responsibilities.

Step 3: Initial assessment of civil penalty

Objective: to reach an *initial assessment* of the civil penalty based on severity of the offence and culpability.

Step 4: Track record of landlord

Objective: to consider the offenders track record and issues that may influence the civil penalty.

- First offence or has committed similar offences before
- Has knowingly or recklessly provided incorrect information in relation to these regulations
- Experienced landlord who should know responsibilities
- Owns several properties so should be aware of the legislation (i.e., not a single property landlord)
- Period over which offence(s) committed
- Offender is a letting agent
- Landlord with a generally well managed portfolio
- Issues partially out of the control of the landlord has led to non-compliance
- High level of profit/sought profit from the offence

Step 5: Any mitigating factors

Objective: to consider any mitigating factors and whether they are relevant to the offence e.g., ill health of landlord, obstructive behaviour of third parties etc

Step 6: Revised assessment

Objective: to reach a *provisional* overall assessment of a civil penalty appropriate to the offence based on following the above steps. The civil penalty imposed should never be less than what it would have cost the landlord to comply in the first place, to incentivise compliance.

Step 7: Check

Check that the provisional civil penalty assessment meets the aims of the sentencing principles:

- Punishment of offender
- Reduction of/stopping crime
- Deterrent for other potential offenders
- Reform of offender
- Protection of public
- Reparation by offender to victim(s)
- Reparation by offender to community

Check that the provisional assessment is proportionate and will have an appropriate impact.

- This step should take account of the offender's income and assets and adjust within band or change band accordingly. The general presumption should be that a civil penalty should not be revised downwards simply because an offender has (or claims to have) a low income. The Crown and Courts Act 2013 expressly permits the value of an offender's assets, e.g., their rental portfolio, to be considered when determining an appropriate penalty.
- For example, if a landlord with a large portfolio was assessed to warrant a low civil penalty, the civil penalty might require adjustment to have sufficient impact, and to conform to sentencing principles above.

Assessment Table for civil penalties issued under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

This assessment table is to demonstrate how the civil penalty assessment will be completed under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. This may be revised and updated in line with the guidance contained in the committee report.

Details of offence	
Legal Contravention	
Condition of premises	
Number of tenants	
Number of households	
Any vulnerability of the tenants	
Had the landlord received any previous communication regarding the offence (add dates and detail of communication)	
Were any other properties affected by the offence?	
Is there evidence that the landlord has tried to avoid his legal responsibilities e.g., threatened the tenants or acted in a discriminatory way in relation to the tenants	
Severity of offence <ul style="list-style-type: none"> • EPC rating of F or G. • Vulnerability of tenants e.g., pregnant, over 65 or children under 5, low-income household, health conditions exacerbated by the cold, someone with language issues etc. • Evidence of discrimination/action against the tenants 	
Considerations	

Banding based on severity of offence considerations				
Moderate		Substantial		
Culpability consideration <ul style="list-style-type: none"> ▪ First offence or has committed similar offences before ▪ Has knowingly or recklessly provided incorrect information in relation to these regulations ▪ Experienced landlord who should know responsibilities ▪ Owns several properties so should be aware of the legislation (i.e., not a single property landlord) ▪ Period over which offence(s) committed ▪ Offender is a letting agent ▪ Landlord with a generally well managed portfolio ▪ Issues partially out of the control of the landlord has led to non-compliance ▪ High level of profit/sought profit from the offence 				
Considerations				
Banding based on culpability considerations				
Moderate		Substantial		
Initial assessment of civil penalty (appropriate to the breach) <ul style="list-style-type: none"> • non-compliant property for less than 3 months • non-compliant property for 3 months or more • providing false or misleading information on the PRS Exemptions Register • for failure to comply with a compliance notice 	Severity of Offence	Moderate		
			Substantial	
	Culpability	Moderate		
			Substantial	
	Initial civil penalty assessment	£		
Mitigating Factors				
Any mitigating factors and whether they are relevant to the offence e.g., ill health of landlord, obstructive behaviour of third parties etc				

Considerations		
Decrease Penalty?		
Considerations		
No considerations		
Check		
<p>Check that the provisional civil penalty assessment meets the aims of the sentencing principles:</p> <ul style="list-style-type: none"> ▪ Punishment of offender ▪ Reduction of/stopping crime ▪ Deterrent for other potential offenders ▪ Reform of offender ▪ Protection of public ▪ Reparation by offender to victim(s) ▪ Reparation by offender to community <p>Check that the provisional assessment is proportionate and will have an appropriate impact.</p> <ul style="list-style-type: none"> • This step should take account of the offender’s income and assets and make final adjustments to the penalty calculation even where this results in a penalty point within another band. The general presumption should be that a civil penalty should not be revised downwards simply because an offender has (or claims to have) a low income. The Crown and Courts Act 2013 expressly permits the value of an offender’s assets, e.g., their rental portfolio, to be considered when determining an appropriate penalty • For example, if a landlord with a large portfolio was assessed to warrant a low civil penalty, the civil penalty might require adjustment to have sufficient impact, and to conform to sentencing principles above. 		
Considerations		
Civil penalty assessment before discounts		
Discounts:	Details	Total Amount of Discount (£)
(a) Works of compliance within the representation period? (discount of 20% to be applied)		

(b) Accreditation course with the London Landlord Accreditation scheme booked within the representation period. (discount of 10% to be applied)		
(c) Total discounts (maximum 30%)		
Outcome of totality consideration (see appendix A) Revised civil penalty assessment where appropriate to ensure the penalty is proportionate and reasonable	£	
Final assessment of civil penalty Not to exceed £5,000	£	

Issuing a Compliance Notice

Local Authorities are responsible for enforcing against non-compliance with the Minimum Energy Efficiency Standards; in accordance with regulations 34 and 35 of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. Landlords will be given an appropriate amount of time to make the necessary changes following which formal enforcement action may be taken if they fail to do so. The Council may issue a compliance notice under regulation 37 where it believes that a landlord may be letting a sub-standard property. A Compliance Notice requires information from that landlord to help to inform the council's decision of whether that landlord has in fact breached the regulations.

A compliance notice may request landlord to produce for inspection originals, or copies, of the following:

- (a) the energy performance certificate for the property which was valid at the time the property was let,
 - (b) any other energy performance certificate for the property in landlord's possession,
 - (c) any current tenancy agreement under which the property is let,
 - (d) any qualifying assessment in relation to the property,
 - (e) any other document which the enforcement authority considers necessary to enable it to carry out its functions under this Part,
- and may request landlord to register copies of any of them on the PRS Exemptions Register
- (3) A compliance notice must specify—

- (a) the name and address of the person to whom the documents or other information required must be provided, and
- (b) the date by which they must be provided which must be no less than one month from the date on which the compliance notice is served.
- (4) Landlord must—
 - (a) comply with the compliance notice, and
 - (b) allow the enforcement authority to take copies of any original document produced.
- (5) A compliance notice may be varied or revoked in writing at any time by the enforcement authority that issued it.
- (6) An enforcement authority may take into account any information held by it, whether or not provided to it in accordance with this regulation, in determining whether landlord has complied with this Part.

Issuing a Penalty Notice

Where the Council is satisfied that a landlord is in breach of the regulations it may then serve a Penalty Notice on them imposing a financial penalty.

A penalty notice must:

- specify the part of the Regulations breached
- provide details of the breach
- specify the action required to remedy the breach and the timescale for this action (minimum 1 month)
- the amount of any financial penalty imposed and, where applicable, how it has been calculated,
- whether the publication penalty has been imposed (regulation 39)
- require the landlord to pay any financial penalty within 28 days and provide details of how to pay the penalty will be provided on the final notice
- specify the name and address of the person to whom any financial penalty must be paid and the method by which payment may be made
- state the effect of regulations 42 to 45, and
- the name and address of the person to whom a notice requesting a review in accordance with regulation 42 may be sent (and to whom any representations relating to the review must be addressed), and the period within which such a notice may be sent
- Provide appeal provisions

Where the landlord fails to take the action required by a penalty notice within the period specified in that penalty notice the enforcement authority may issue a further penalty notice.

Publication Penalty

The Council may also publish details of the breach(es) on the PRS Exemptions Register, also known as a Publication Penalty (regulation 39). Consideration to issue a penalty notice and/or a publication penalty should be given If an authorised officer determines that satisfactory action has not been taken and there is a breach of these regulations in respect of:

- Regulation 23 – A sub-standard domestic privately rented property has been let.
- Regulation 37(4)(a) – Failure to comply with a compliance notice.
- Where the landlord has registered false or misleading information on the PRS Exemptions Register

A penalty notice may include a financial penalty, a publication penalty or both.

Representations

The relevant person on whom the notice is issued may ask for the Penalty Notice to be reviewed by the Council in the first instance. On review (regulation 42) the council may:

- (a) waive a penalty
- (b) allow additional time to pay any financial penalty
- (c) substitute a lower financial penalty where one has already been imposed, or
- (d) modify the application of a publication penalty

If the penalty is upheld on review the landlord may appeal to the First-tier Tribunal (Property Chamber) on specific grounds (regulation 43, 'Appeals').

Withdrawing or Amending Notices

A compliance notice may be varied or revoked in writing at any time (regulation 37(5))

The relevant person on whom the Penalty Notice is issued, may ask for the Penalty Notice to be reviewed by the Council. Regulation 42(1)

Appeals to the Tribunal

If, after a review, a penalty notice is confirmed by the local authority, the landlord may appeal to the First-tier Tribunal ("the Tribunal"). Appeals must be made within 28 days of the date the final notice was issued. The bringing of an appeal suspends the penalty notice being appealed taking effect, pending determination or withdrawal of the appeal.

Other consequences of having a civil penalty imposed

Where a civil penalty has been imposed on a landlord, this will form a part of our consideration when reviewing licence applications for properties in which they have some involvement. This includes licences under Part 2 or Part 3 of the Housing Act 2004.

Whilst a civil penalty will not automatically preclude the Council from granting a licence where such persons are involved, the reasons for imposing the penalty and the extent of the person's involvement in the property will be considered.


Recovering an unpaid civil penalty

It is the policy of the Council to consider all legal options available for the collection of unpaid civil penalties and to pursue unpaid penalties in all cases through the county courts as appropriate.

Exemptions

Exemptions are detailed in the exemptions register in the [Regulations](#)

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	<h2 style="margin: 0;">APTHORP CARE HOME LEASE SURRENDER</h2> <h3 style="margin: 0;">17th January 2023</h3>
<p style="text-align: right;">Title</p>	<p>Apthorp Care Home, Nurseryman's Road, N11 1EQ</p>
<p style="text-align: right;">Report of</p>	<p>Chair of the Housing and Growth Committee</p>
<p style="text-align: right;">Wards</p>	<p>Brunswick Park</p>
<p style="text-align: right;">Status</p>	<p>Public with accompanying Exempt Report.</p> <p>Exempt from publication in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 on account that it contains information relating to the financial or business affairs of any particular person (including the authority holding the information).</p>
<p style="text-align: right;">Urgent</p>	<p>Yes</p>
<p style="text-align: right;">Key</p>	<p>Key</p>
<p style="text-align: right;">Enclosures</p>	
<p style="text-align: right;">Officer Contact Details</p>	<p>Melanie Chiknagi, LBB Estates Team, Head of Property and Portfolio Management melanie.chiknagi@barnet.gov.uk</p> <p>Andrew Cadge, LBB Estates Team – Asset Manager andrew.cadge@barnet.gov.uk</p>

Summary

A break notice was served to terminate the council's lease of Apthorp Care Home, Nurseryman's Road, N11 1EQ to take effect on 28th March 2023. To ensure compliance with the terms of the break clause, a Deed of Surrender is required to formally document the lease termination and to conclude all council liabilities.

Officers Recommendations

1. That the Committee approves the surrender payment costs, and;
2. That authority be delegated to the Deputy Chief Executive, in consultation with the Chair, to enter into a Deed of Surrender with Catalyst Housing Ltd to terminate the Council's lease (dated 28 March 2013) as soon as possible;



1. Why this report is needed

- 1.1 The council is the Tenant at Apthorp Care Home on a 21 year lease from 28th March 2013. The landlord is Catalyst Housing Ltd;
- 1.2 In Autumn 2021, Adult Social Care made the decision to decant the home and consequently a break notice was served to terminate the lease on 28th March 2023, giving the required 18 months notice;
- 1.3 The break clause includes various conditions that the council has to meet in order for the break to be valid and the lease to terminate. The key ones are Vacant Possession and Reinstatement (dilapidations/repair liability). As these conditions can be disputed, there is a risk to the council that the Landlord argues that the lease has not terminated. The next opportunity for the council to end the lease would then be at the break date on 28th March 2028.
- 1.4 Thus, terms have been agreed between the parties to enter into a Deed of Surrender to formally document the termination of the lease and all liabilities of each party to one another;
- 1.5 The terms of the surrender are:
 - Deed of surrender to complete as soon as possible (target 27th January 2023);
 - Council to pay rent up to 28th March 2023 (i.e. the break date);
 - Reinstatement/Dilapidations payment (see exempt report);
 - All loose fixtures and fittings i.e. furniture to be removed;
 - Full and final settlement of all obligations in the lease;
 - Council to pay Landlord legal fees for surrender.
- 1.6 There are costs to clear the property of furniture etc of approx. £25-30,000 and landlord fees are estimated to be no more than £6,000, both of which will be funded from Estates Managed Budgets.

2. Reasons for recommendations

- 2.1 As the property is no longer in use, the council needs to end all of its liabilities under the lease i.e. rent and repair.
- 2.2 To de-risk the council's position, completing the Deed of Surrender will conclude this matter and all council liabilities.

- 2.3 Rent is to be paid up until the contractual break date, but the Landlord is willing to accept an earlier surrender. This will save the council approx. £13,000 per month in security costs, and additional council tax costs. Therefore, a surrender date earlier than the break date is advantageous to the Council and will be negotiated, if at all possible.
- 2.4 Capita were appointed to report on the council's reinstatement obligations and potential liability. A payment has been agreed with the Landlord in lieu of this liability and is set-out in the exempt version of this report.

3. Alternative options considered and not recommended

3.1 Do nothing

The break conditions included that the council had to leave the premises with "vacant possession" and in "good and substantial repair and condition". If this is not carried out then the liabilities under the lease would continue until at least the next break date in March 2028. As the home is not in use, this is not an acceptable outcome.

3.2 Satisfying Break Conditions

The Vacant Possession condition requires the property to be empty of people and tenant's fixtures and fittings etc. Case law has shown that leaving minimal items is still acceptable, but substantial amounts of rubbish amounted to a breach. So, this should be capable of being satisfied.

The reinstatement/repair condition is far more challenging as a landlord could easily find a single item in disrepair and claim the condition has not been met. The council could carry out a complete refurbishment but with no guarantee that the condition would be met by the break date if there were outstanding issues or delays to works. So, this is an expensive option which doesn't remove the risk of the lease continuing beyond the break date.

To mitigate this risk, the internal Care Home Board agreed a recommendation in September to not carry out the works and to instead seek a negotiated settlement, in order to get certainty on the lease termination at a reduced cost.

3.3 Purchase Freehold

The lease, and its liabilities, would be terminated if the council purchased the freehold. The asking price was £17m, which is substantially above the land value and without a business case for using the property, there is no justification for this option.

3.4 Refurbish and re-occupy the home

The landlord has a break in March 2028 (and rolling thereafter), so there is no certainty that the council could continue to occupy and derive value for money from the refurbishment, which would have cost a substantial sum. A purchase or new lease would have needed to be negotiated to spread the cost/benefit over a much longer period.

4. Post decision implementation

- 4.1 Ensure property is cleared of furniture, fixings and rubbish;
- 4.2 Terminate security contract;
- 4.3 Transfer dilapidations payment i.e. surrender premium to the landlord's solicitor;
- 4.4 Complete the Deed of Surrender with a target date of 27th January 2023.

5. Implications of decision

5.1 Corporate Priorities and Performance

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

The current rent on the property is £255,543 which is reviewed annually at a 3.5% fixed increase. If the lease is not terminated (over the next 5 years to the next tenant break) the rent will increase to £303,505 pa, with a total rent liability of approx. £1.42m. Council tax (not business rates), insurance and security costs would also be incurred if the surrender does not complete. Building maintenance and repair would add further costs to the council, with a dilapidations payment (or works) still required. This recommendation therefore reduces the council's liabilities.

5.2.1 Source of Funding

This will be a capital payment, so a bid has been tabled at Capital Strategy Board in January to be ready for inclusion at the P&R in February. Due to timings, the payment will be made from the Care Homes Capital Budget which will then be reimbursed once approval at P&R has been given.

5.3 Legal and Constitutional References

- 5.3.1 Under Article 7 of the council's constitution, Housing & Growth Committee's remit includes Housing (including: housing strategy; homelessness; social housing and housing grants; private sector housing and leasing and enforcement; HRA Revenue Account and Capital Programme); and Asset Management.
- 5.3.2 Under Table A of Article 10 – Decision Making – of the council's constitution, settlements on a property for a cost in excess of £500,000 are a 'Key Decision' and are to be approved by the Housing and Growth Committee. [Barnet Council Constitution, Article 10 – Decision making.](#)

5.4 Insight

- 5.4.1 Not applicable

5.5 Social Value

- 5.5.1 There has been a consideration of social value activities within the surrender process,

and a local charity have been invited to clear the building of furniture that would be of use to them, in order to assist in presenting the building to Catalyst in vacant possession.

5.6 Risk Management

5.6.1 As set out above, entering into a Deed of Surrender provides the council with certainty that all other options do not provide.

Option	Activity required and risk	Risk to the organisation (low, medium, high)
Do nothing	Lease continues until March 2028 if council serves the required break notice, or beyond.	High – this scenario would be unacceptable to LBB as the organisation would be subject to a significant rental liability for an unoccupied building.
Meet break conditions within lease	Principally to carry out works that would leave the building in “substantial repair and condition”.	High – The decision was made in September not to pursue this strategy as there was not enough time to complete works, or guarantee the Landlord would agree that the obligations had been met.
Enter into Deed of Surrender including financial settlement for dilapidations liability	Negotiate with Landlord to agree a sum in lieu of council’s dilapidations liability.	Lowest risk – if successful then lease terminates at an agreed cost in advance of the break date reducing uncertainty (financial and legal) and significant additional management time to resolve.

5.7 Equalities and Diversity

5.7.1 Pursuant to the Equality Act 2010, the council and all other organisations exercising public functions on its behalf must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected

characteristic and those without; promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

5.7.2 We have considered whether these proposals will give rise to any issues under the Council's Equalities or Diversity policies and do not consider that there are any such concerns or impacts

5.8 Corporate Parenting

5.9 Not applicable

5.10 Consultation and Engagement

5.10.1 Not applicable

5.11 Environmental Impact

5.11.1 Not applicable

6. Background papers

6.1 Apthorp Care Home Delegated Powers Report for transferring residents to alternative homes:

6.2 Link to paper - <https://barnet.moderngov.co.uk/documents/s66380/Apthorp%20Care%20Home%20DPR.pdf>



Housing and Growth Committee

17 January 2023

Title	Edgware Business Improvement District
Report of	Councillor Ross Houston, Chair of Housing and Growth Committee
Wards	Edgware
Status	Public
Urgent	No
Key	No
Enclosures	<p>Appendix A – Edgware Business Improvement District Anticipated Timeline</p> <p>Appendix B – Edgware Business Improvement District Anticipated Boundary</p> <p>Appendix C – Letter to the Secretary of State notifying of the intention to develop an Edgware BID</p>
Officer Contact Details	<p>Jamie Robinson, Head of Economic Development jamie.robinson@barnet.gov.uk</p> <p>Lucy Devereux, Town Centre Investment Manager lucy.devereux@barnet.gov.uk</p>

Summary

This report provides an update on proposals for a Business Improvement District (BID) for Edgware Town Centre. This includes:

- Background to the proposal;
- Details of what Business Improvement Districts are and how they operate;
- Outline proposals for an Edgware Business Improvement District; and
- An overview of local authority involvement and obligations.

Officers Recommendations

- 1. That the Committee notes that proposals are being developed for an Edgware Business Improvement District and the Council has received formal notice in accordance with the statutory BID regulations (Appendix C).**
- 2. That, upon receipt of the Edgware Business Improvement District Proposal, and the proposed Business Plan from the BID proposer, the Committee delegates authority to the Director of Growth in consultation with relevant council services and the Chair of Housing and Growth to:**
 - a. Consider, on behalf of the council as billing authority, whether the BID Proposal conflicts with any council policy or places an unjust financial burden on rate payers, and, if it does, gives notice of this veto in accordance with the Business Improvement Districts (England) Regulations 2004 (“the BID regulations”);**
 - b. Determine whether the council should support the Edgware BID Proposal including by voting in favour in the BID ballot;**
 - c. Ensure compliance with BID regulations and oversee the ballot process accordingly.**
- 3. That the Committee notes section 4 of this Report and, subject to a “yes” vote at ballot, agrees that:**
 - a. The council will act as the relevant billing authority and will manage the billing and collection of the additional levy, and its transfer to Edgware BID;**
 - b. The council must meet its obligations in paying the BID levy, as a non-domestic ratepayer in the BID area, in accordance with the BID regulations over the life of the BID;**
 - c. The council will enter into operating agreements with the Edgware BID Company regarding the operation of the BID and its engagement with council services.**

1. Why this report is needed

- 1.1 In 2021, the council’s Policy and Resources Committee adopted the Edgware Growth Area Supplementary Planning Document (SPD). The SPD, drafted jointly with Harrow Council, provides a planning framework for attracting investment through a coordinated approach that allows renewal and recovery, enabling Edgware to better serve as a destination for local residents and business. The SPD sets out a vision for this Major Town Centre and proposes 16 objectives and nine development principles to guide a comprehensive approach to redevelopment.
- 1.2 The objectives of the SPD specifically identify priorities for economic growth, including local jobs and businesses, highlighting the importance of supporting local businesses, the local economy and generating investment that leads to sustainable economic growth.
- 1.3 Following the adoption of the SPD, Ballymore, the owners of the Broadwalk Shopping Centre, and TfL formally committed to combine their landholdings in Edgware and

entered into a joint venture partnership (the JV) to develop proposals for the key site of the Broadwalk Shopping Centre and the Station in Edgware. A Planning Application is anticipated to be submitted in 2023.

- 1.4 As part of its approach to redevelopment of the Shopping Centre and supporting the wider town centre, Ballymore has appointed a specialist company, British BIDs, to undertake feasibility analysis and develop proposals for a Business Improvement District (BID) for Edgware.

Business Improvement Districts

- 1.5 Business Improvement Districts are business-led organisations that aim to improve the economic prospects of a defined area through the delivery of short, medium, and long-term projects and initiatives identified in consultation with the local business community. They are independent organisations, financed principally through a small, compulsory annual levy based on the rateable value of businesses in the BID area. This income is ring-fenced to provide improvements to the local area that would otherwise not occur.
- 1.6 The BID regulations allow any local business community to set up a Business Improvement District. However, they can only exist if they have been sanctioned through a formal ballot conducted among business ratepayers that operate in the BID area in which at least 51% of votes, both by number and aggregate rateable value, needs to be secured. The vote for a BID is carried out by anonymous postal ballot, which is organised by the local authority. Eligibility to vote is based on one vote per eligible business premises (hereditament) situated in the defined BID area.
- 1.7 BIDs generally operate for up to five years, after which a further ballot is required.

Edgware Business Improvement District - Proposals

- 1.8 In line with procedural guidelines, the Business Improvement District proposer is required to develop a proposal and submit this to the local authority, along with a business plan. It is anticipated that this will be submitted in March 2023.
- 1.9 On 16th December 2022, a letter (Appendix C) was sent by the BID body to the Secretary of State and both Harrow and Barnet Councils, to provide notice of the intention to request that the authorities put the BID proposal to ballot in June 2023.
- 1.10 An timeline of anticipated dates in the BID process is included in Appendix A.
- 1.11 The emerging BID area for Edgware broadly matches that of the SPD boundary, spanning the A5 into the London Borough of Harrow. This results in a cross-boundary Business Improvement District. As the majority of the BID area is located within Barnet, both geographically and by number of businesses, it has been recommended by officers at both Barnet and Harrow Councils that the London Borough of Barnet will act as Lead Authority. A map of the anticipated BID boundary can be found in Appendix B. The BID boundary will be under review ahead of the ballot.
- 1.12 The BID proposal is currently being developed with the business community in Edgware through extensive engagement, workshops and meetings, in addition to the establishment of a BID Steering Group. The proposal will set out the services to be provided and the size and scope of the Business Improvement District. It will also set

out which businesses will be liable for the levy, the amount of levy to be collected and how it is calculated.

- 1.13 The draft priorities for the Edgware Town Centre BID for the next five years will be confirmed after further consultation and formal submission of the BID Proposal to the council. Early engagement suggests that priorities will focus on the following areas:
- **One Voice:** Providing an independent platform to give the businesses of Edgware a voice during on-going change in the area.
 - **Clean:** Enhancing Edgware town centre's appeal through targeted intensive cleaning, alongside practical solutions to support businesses.
 - **Green:** Enhancing the town centre through the addition of planting and other green initiatives.
 - **Safe:** Investment into the safety of businesses, staff and customers. Working with partners to improve safety and security, reducing business crime, anti-social behaviour while improving the feeling of safety for those that live, work and visit.
 - **Welcoming:** Attracting a diverse range of customers into Edgware through seasonal events and marketing and promotion.
- 1.14 Current financial modelling for the Edgware Business Improvement District suggests that there would be an income in excess of £200,000 per annum to support these activities.
- 1.15 Not all businesses within the BID area will be liable to pay the levy, or eligible to vote in the ballot. Rateable value thresholds for levy payment and ballot eligibility will be set out within the BID proposal to ensure that smaller businesses are not unjustly burdened.
- 1.16 During the engagement process, a general record of voting intent is maintained. If this suggests that businesses are not supportive of the Business Improvement District proposal, then the process for establishment will not be progressed.

Edgware Business Improvement District – Implications for the council

- 1.17 There are statutory requirements placed upon the local authority by The Business Improvement Districts (England) Regulations 2004 (as amended).
- 1.18 Under the regulations, where the council considers that the proposal conflicts with any formally adopted and published policy of the council, it shall notify the proposer in writing explaining the nature of that conflict. By giving its approval, the local authority is satisfying itself that the proposal conforms to the regulations. The council also needs to satisfy itself that the BID proposal has sufficiently demonstrated:
- That business consultation has been undertaken;
 - The financial management arrangements for the Edgware BID body are robust;
 - The proposed business plan is acceptable; and
 - That all necessary steps have been taken to ensure the proposal is robust.
- 1.19 The council has voting rights on the ballot for the BID if there are council-owned hereditaments in the confirmed BID area.

2. Reasons for recommendations

- 2.1 Barnet's high streets and town centres are at the heart of the community. As well as providing opportunities for shopping and services, they are important sites of employment, recreation, religion and cultural life. Town centres are home to many of the borough's almost 30,000 businesses, the vast majority of which are small, family-run or independent.
- 2.2 The emerging vision of Barnet's new Corporate Plan is that the council will 'care for people, places and planet'. An important part of the Plan will be support for attractive, sustainable town centres in which local businesses and residents are encouraged and enabled to lead renewal. The council is already working with businesses and community representatives across the borough's town centres to create healthy high streets that serve their local community, are accessible and safe, with high quality public realm that is easy to navigate.
- 2.3 The proposal for a Business Improvement District in Edgware directly supports the objectives of both the emerging Corporate Plan and the adopted Edgware SPD, enhancing the business community and generating investment for the town centre, creating opportunities to improve the high street, improve the cultural offer and enhance Edgware's status as a destination for a wide catchment area.
- 2.4 Following the adoption of the SPD and as a result of associated forthcoming planning applications, Edgware Town Centre is anticipated to undergo significant transformation within the next ten years. The establishment of a Business Improvement District will give the business community a platform to engage with this on-going change, providing an independent business voice, offering support, networks and activities to promote the town centre and attract footfall to the area.

3. Alternative options considered and not recommended

- 3.1 There are no perceived alternative options for the council. If the business community chooses to pursue the legislative BID route and votes 'yes', then the council is obliged to play its role in the process.

4. Post decision implementation

- 4.1 Following the decision, the BID proposers will continue to undertake their obligations under appropriate BID regulations and submit a BID Proposal to the council. This is anticipated to be in March 2023.
- 4.2 On receipt of the Edgware BID proposal, the council, alongside the London Borough of Harrow, will:
 - Consider whether the proposal conflicts with any formal adopted policy of the council and if it does, give notice of this in accordance with the Business Improvement Districts (England) Regulations 2004 ("the BID regulations");
 - Determine whether the council should support the Edgware BID proposal and to vote on its behalf in the BID ballot.

- Formally manage the ballot process in accordance with the BID regulations. This is anticipated to be May/June 2023;
- That subject to a “yes” vote at ballot:
 - i. act as the relevant billing authority and manage the billing and collection of the levy, and its transfer to Edgware BID;
 - ii. meet the council’s obligations in paying the BID levy, as a non-domestic ratepayer in the BID area, in accordance with the BID regulations over the life of the BID;
 - iii. enter into key operating agreements with the Edgware BID Company regarding the operation of the BID.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 As noted, the Edgware Business Improvement District supports the emerging vision of Barnet’s new Corporate Plan.
- 5.1.2 By working in partnership with the Business Improvement District, the council will be able to support initiatives that align with priorities to enhance art, culture and events by celebrating the diversity of the community of Edgware and the broad range of businesses within the town centre.
- 5.1.3 Additionally, partnership working will support the safe, attractive neighbourhoods priorities by improving safety and security, reducing business crime and anti-social behaviour while improving the feeling of safety for those that live, work and visit the town centre.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 There are potential financial implications for the council in the creation and operation of the Edgware Business Improvement District. These will be further clarified once the BID proposal has been submitted, and will be approved by relevant officers or committees, if required. This includes costs associated with:
- Managing the ballot every five years – the current estimate is approximately £3,500 per ballot;
 - Collection and management of the BID Levy – the cost of collection and management of the levy has not yet been defined and a budget will need to be identified when the costs are confirmed; the council may decide to re-charge the BID for these costs or to cover them as part of its contribution;
 - Levy contributions for council-owned property if the ballot is successful – currently, this includes one property, Edgware Library, and is estimated to be approximately £500 per annum.

5.3 Legal and Constitutional References

- 5.3.1 The council’s Constitution, Article 7.5 Committees, Forums, Working Groups and

Partnerships, sets out the functions and the Terms of Reference of the Housing and Growth Committee and includes:

- Responsibility for housing matters, regeneration strategy and overseeing major regeneration schemes, asset management, development of Council land, Economic Development including: employment strategy, business support and engagement and town centres.
- To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.
- To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

5.3.2 Part 4 of the Local Government Act 2003 provided for the establishment of Business Improvement Districts. Business Improvement Districts are subject to The Business Improvement Districts (England) Regulations 2004 (as amended). Business Improvement Districts are business led partnerships which are created through a ballot process to deliver additional services to local businesses. The council is responsible for managing the ballot process in accordance with the BID regulations.

5.3.3 A Business Improvement District is a defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area. The only requirement is that it should be something that is in addition to services provided by local authorities.

5.3.4 If the local authority is of the opinion that the Business Improvement District arrangements are likely to conflict to a material extent with an existing policy, place a significantly disproportionate financial burden on any person or class of persons compared to other non-domestic rate payers in the geographical area of the BID, and that burden is caused by the manipulation of the geographical area or by the structure of the levy, and is inequitable, it can decide to veto the proposals. The council can only veto proposals within 14 days from the date of the ballot. Any person entitled to vote in a BID ballot may appeal to the Secretary of State within 28 days of the veto notice being given by the billing authority.

5.3.5 The Business Improvement District proposer (which can be the local authority, a business rate payer or a person or company (a) one of whose purposes is to develop Business Improvement District proposals, or (b) that has an interest in the land in the area) is required to develop a proposal and submit this to the council, along with a business plan. The proposal should set out the services to be provided and the size and scope of the Business Improvement District. It will also set out who is liable for the levy, the amount of levy to be collected and how it is calculated. At least 84 days before submitting proposals, the ballot proposer should notify the local authority and the Secretary of State of their intention to put the BID proposal to ballot. At least 42 days before the final ballot date, the ballot holder should publish a notice stating the date of the ballot, and send a copy of this to the Secretary of State. If it appears that a significant breach of the rules has occurred during the ballot process a request to declare the ballot void may be submitted to the Secretary of State for Housing, Communities and Local Government within 28 days of the result of the ballot being published.

5.3.6 A Business Improvement District may only be established where those entitled to vote

approve the Business Improvement District proposals. A Business Improvement District is managed by a Business Improvement District body. This is often a private company but can be a partnership with the local authority. The Business Improvement District body is responsible for developing and implementing the proposal which sets out how the Business Improvement District will operate. They will provide the local authority with this proposal along with the business plan (including the estimated cash flow and predicted revenue to be generated by the Business Improvement District) along with the financial management arrangements for the Business Improvement District body. The council is responsible for managing billing and the collection of the levy and will hold the levy in a ring-fenced revenue account on behalf of the Business Improvement District body.

5.3.7 The maximum period that a Business Improvement District levy can be charged is for 5 years and will automatically cease at the end of the term.

5.4 Insight

5.4.1 Evidence supporting the benefits of Business Improvement Districts is detailed within the GLA's report, [The Evolution of London's Business Improvement Districts](#) which suggests that BIDs are instrumental in bringing in vital investment and forging useful partnerships with the public and voluntary sectors, as well as with other BIDs. In addition to their traditional 'bins, branding and baskets' remit, BIDs are now directly involved in regeneration, place-making, air quality and employment initiatives.

5.5 Social Value

5.5.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. A Business Improvement District is a separate entity to the council and provides services that are over and above those undertaken by the council.

5.6 Risk Management

5.6.1 There is a risk that businesses in Edgware will not be supportive of the Business Improvement District. To mitigate this, during the engagement process, a general record of voting intent is maintained. If this suggests that businesses are not supportive of the Business Improvement District proposal, then the process for establishment will not be progressed.

5.7 Equalities and Diversity

5.7.1 The Equality Act 2010 ("the Act") outlines the provisions of the Public Sector Equality Duty which requires public authorities to, in the exercise of their functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.7.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having

due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.7.3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.7.4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Tackle prejudice, and promote understanding.

5.7.5 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

5.7.6 The Act also covers marriage and civil partnership with regard to eliminating discrimination.

5.7.7 The broad purpose of this duty is to integrate considerations of equality into day-to-day business and keep them under review in decision-making, the design policies and the delivery of services.

5.8 Corporate Parenting

5.8.1 The decision will not have a direct or indirect impact on looked after children and care leavers.

5.9 Consultation and Engagement

5.9.1 Consultations and discussions regarding the content of the report have been held with internal colleagues across different teams including Governance, Electoral Services, and Revenue & Benefits, as well as with officers from the London Borough of Harrow.

5.9.2 British BIDs has been engaging and consulting with businesses within the proposed BID

area and initial feedback from hereditaments has been favourable. Consultation on the key proposed BID themes and activities will continue through to the production of the formal BID proposal document that will be used for canvassing throughout the ballot period.

5.10 Environmental Impact

- 5.10.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the council's carbon and ecology impact, or at least it is neutral.

6. Background papers

- 6.1 Housing and Growth Priorities update, October 2022: [Committee Report \(moderngov.co.uk\)](https://www.moderngov.co.uk)
- 6.2 Information and guidance on Business Improvement Districts: Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government: [Guidance](#)
- 6.3 Business Improvement Districts: Technical Guide for Local Authorities, Department for Communities and Local Government, 2015. [Technical Guide.](#)

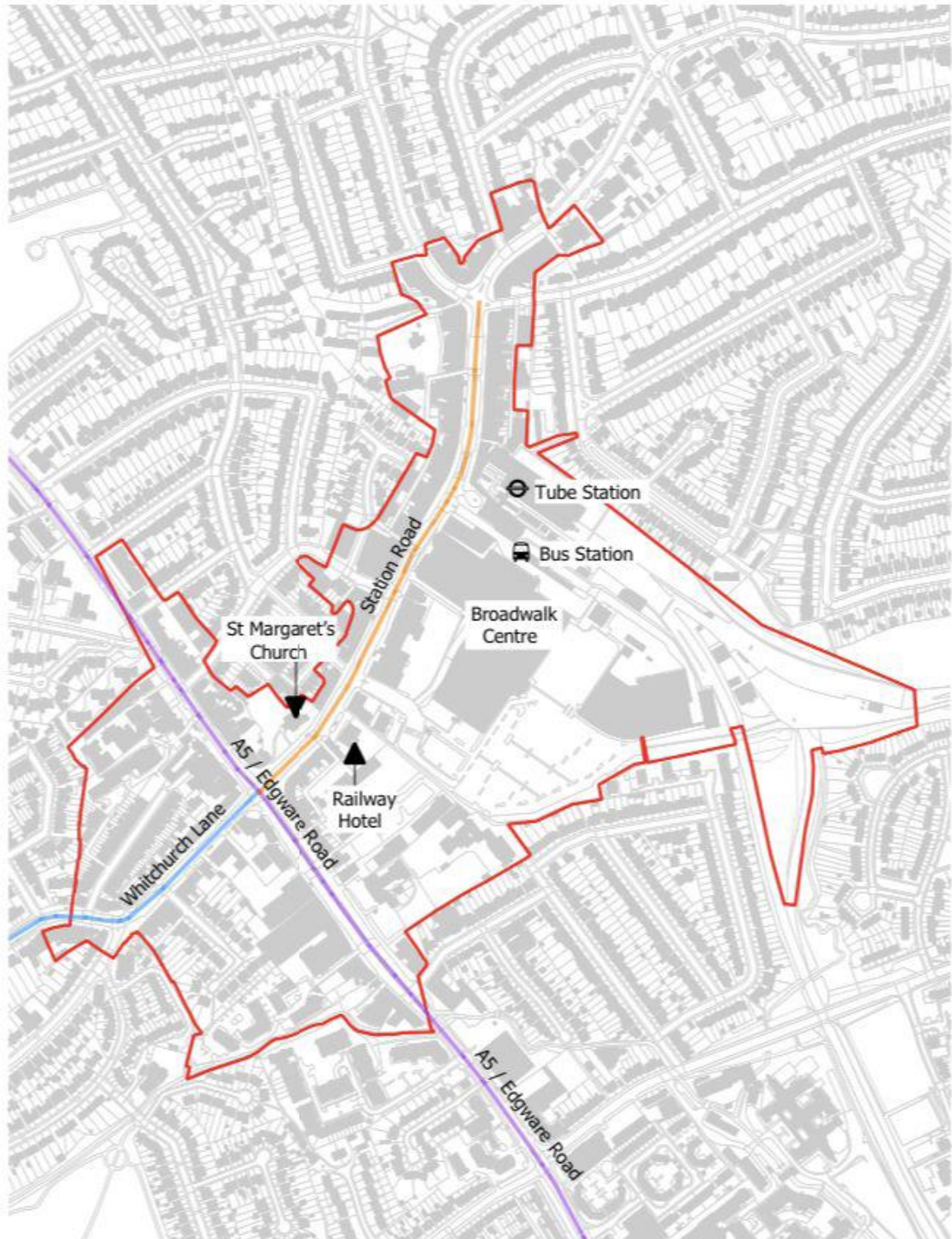
Appendix A

Edgware Business Improvement District: Anticipated Timeline

Date	Activity
December 2022	Business Improvement District (BID) Proposer to submit letter to Secretary of State with copy to Local Authority, outlining intentions to undertake a ballot.
March 2023	Full BID Proposal to be submitted to Local Authority by BID Proposer.
End March 2023	Launch event for BID Proposal with business community within the BID area.
End April 2023	Local Authority Electoral Services to issue Notice of Ballot to businesses within the BID area.
12 May 2023	First day of Ballot.
8 June 2023	Final day of Ballot.
21 June 2023	End of Local Authority veto period.
Autumn 2023	In event of 'yes' vote, Business Improvement District is established.

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Appendix B – Edgware Business Improvement District Anticipated Boundary



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Michael Gove,
Secretary of State
C/O Edward Stanislas
Department for Levelling Up, Housing and Communities
Fry Block, South East 2nd Floor
2 Marsham Street
London
SW1P 4DF

Edward.Stanislas@communities.gov.uk

Friday, 16 December 2022

Dear Secretary of State,

Edgware Business Improvement District

Intention to hold a ballot June 8, 2023

I write to you under the BID Regulations (2004) [§3.1.a.iii] as a body one of whose purposes is to develop a BID. Please accept this letter as being the 84 days notification required of the intention to request the billing authorities to put the BID proposal to ballot [§ 3(2)]. I am also sending this to the London Borough of Barnet and Harrow Council, as the relevant billing authorities who have been involved in these discussions.

The London Borough of Barnet, as the authority with the majority of hereditaments in the BID has agreed to be the Lead authority under the Business Improvement Districts (England) (Amendment) Regulations 2013 [Schedule 5 §3a]

Name of BID: Edgware Business Improvement District

Name of Billing Authorities: Barnet Council and Harrow Council, with Barnet Council as the lead authority.

Contact Details:

Professor Christopher Turner
Chief Executive
British BIDs

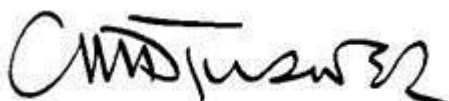
1 Woodbridge Road
Ipswich
Suffolk
IP4 2EA

Timeline:

Proposed day of ballot *Thursday June 8th, 2023*, with
Proposed term BID start date of *Friday September 1st, 2023*

If you have any questions, please contact me at the above address. In the meantime, I look forward to receiving your confirmation that you have been properly notified, as required by the Regulations.

Yours sincerely,



Christopher Turner
Chief Executive
British BIDs

cc:

Jamie Robinson
Head of Economic Development
London Borough of Barnet
2 Bristol Avenue
Colindale
London
NW9 4EW
Jamie.robinson@barnet.gov.uk

Mark Billington
Director of Inclusive Economy Leisure & Culture
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XY
Mark.Billington@harrow.gov.uk

**London Borough of Barnet
Housing & Growth Committee
Forward Work Programme
2022/2023**

Contact: Allan Siao Ming Witherick (Governance) allan.witherick@barnet.gov.uk

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Author/owner
17 January 2023			
Mould and Damp	To provide an update as requested at the 16 November 2022 meeting and to hear from Registered Providers of housing.	Deputy Chief Executive (c/o Susan Curran)	Susan Curran
Housing & Growth Priorities Update	To provide a progress update on delivery of Housing & Growth Priorities. This may include reports 'to note'.	Director of Growth (<i>c/o Susan Curran/Jamie Robinson</i>)	Susan Curran
Fire Safety Update	To receive progress updates on the Fire Safety Programme.	Deputy Chief Executive (<i>c/o Elaine Clarke</i>)	
Month 8 Housing and Growth Outturn Report	To note the Month 8 Financial Position for the services within the remit of the Housing and Growth Committee.	Deputy Chief Executive (<i>c/o Cath Shaw</i>) Executive Director of Resources (<i>c/o Anisa Darr</i>)	Nick Stylianou/ Gary Hussein
1000 Homes	To set out how manifesto priority will be delivered	Director of Growth (<i>c/o Susan Curran</i>)	Susan Curran
Annual Review of Council Dwelling Rents and Service Charges and Temporary Accommodation rents for 2023/24	To recommend the proposed charges to Council dwelling rents and services charges including temporary accommodation rents, to take effect from 1 April 2023.	Group Director Resources / Group Director Property and Resources - The Barnet group (<i>c/o Derek Rust</i>)	Laura Giles

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Author/owner
Cricklewood	To approve new town centre pocket park business case.	Director of Growth (<i>c/o Jamie Robinson</i>)	(Ryan Man) Ravinder Dhanjal
Brent Cross Town Update (Includes Exempt)	To receive an update on the Brent Cross Programme and take such decisions as are required.	Director of Growth (<i>c/o Luke Ward</i>)	Luke Ward
The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 The Energy Efficiency (Private Rented Property) Regulations 2015	To approve changes and delegation to the Deputy Chief Executive to implement amendments required for enforcement and to note the updates in the Scheme of Delegation.	Director of Growth (<i>c/o Susan Curran</i>)	Susan Curran
Apthorp Care Home Lease Surrender	Care Homes Tenure Update: Lease surrender: approval for the surrender of the least at Apthorp.	Assistant Director, Estates and Acquisitions & Capital Strategy (<i>c/o Chris Smith</i>)	Uzma Ali (Matt Waters)
Business Improvement District for Edgware	To note that a Business Improvement District is being proposed for Edgware Town Centre; and to approve delegated authority to deliver the council's obligations in line with the regulations.	Director of Growth (<i>c/o Jamie Robinson</i>)	Lucy Devereux
23 March 2023			
Consideration of Petition to remove the Golders Green Parklets	To hear the Petitioner and consider the Officers report.	Director of Growth (<i>c/o Jamie Robinson</i>)	Jamie Robinson

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Author/owner
Private Sector Housing Financial Assistance Policy	To review results of public consultation and approve changes to the grants scheme for discretionary grant aid to elderly, vulnerable and disabled people resident in the borough	Deputy Chief Executive (<i>c/o Christopher James</i>)	Christopher James
Brent Cross Town Update (Includes Exempt)	To receive an update on the Brent Cross Programme and take such decisions as are required.	Director of Growth (<i>c/o Luke Ward</i>)	
Selective Licensing	To receive the post property licensing consultation report	Deputy Chief Executive (<i>c/o Belinda Livesey</i>)	Belinda Livesey
Whitings and Moxon Outline Business Case	To receive the outline business case for two housing schemes	Group Director, Growth & Development - Barnet Homes (<i>c/o Derek Rust</i>)	Susanna Morales
Grahame Park North East Procurement and Delivery Strategy	To approve the procurement strategy for the scheme	Director of Growth; and Group Director, Growth & Development - Barnet Homes (<i>c/o Susanna Morales</i>)	Susanna Morales
Housing & Growth Priorities Update	To provide a progress update on delivery of Housing & Growth Priorities. This may include reports 'to note'.	Director of Growth (<i>c/o Susan Curran/Jamie Robinson</i>)	
Appendix: Fire Safety Update	To receive progress updates on the Fire Safety Programme.	Deputy Chief Executive (<i>c/o Elaine Clarke</i>)	

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Author/owner
Quarter 3, 2022/23 performance report for Re and The Barnet Group services	To review and note the performance of Re and The Barnet Group services that fall under the remit of this committee	Director of Commercial & Customer Services / Head of Commercial Management Programmes, Performance & Risk	Alaine Clarke
Housing Allocations Scheme	To receive the draft Scheme ahead of public consultation	Deputy Chief Executive (c/o Laura Giles/Susan Curran)	Laura Giles
Tenancy Strategy	To approve draft for public consultation ,	Deputy Chief Executive (c/o Laura Giles)	Laura Giles
Housing Revenue Account(HRA) Business Plan update	To approve the updated HRA Business plan.	Group Director Resources - The Barnet group (c/o Shaun McLean)	
Barnet Homes Annual Delivery Plan 2023/24	To approve the annual Barnet Homes delivery Plan	Group Director of Operations & Property - The Barnet Group (c/o Elliott Sweetman)	
Housing Strategy and Homelessness and Rough Sleeping Strategy	To approve drafts for public consultation.	Deputy Chief Executive (c/o Laura Giles/Susan Curran)	Laura Giles
Private Housing Sector	To approve commencement of a new public consultation in relation to proposed revisions to the councils policy on delivering discretionary grant aid to elderly, vulnerable and disabled people resident in the borough	Director of Growth	Christopher James

Title of Report	Overview of decision	Report Of (officer)	Author/owner
<i>Annex: Private Sector Housing - Disabled Grants Facility</i>	<i>To update on consultation and get approval to proceed action to April-23</i>	<i>Deputy Chief Executive (c/o Christopher James)</i>	Christopher James
<i>Annex: Private Sector Housing Financial Assistance Policy Consultation</i>	<i>To approve commencement of a new public consultation in relation to proposed revisions to the councils policy on delivering discretionary grant aid to elderly, vulnerable and disabled people resident in the borough.</i>	<i>Deputy Chief Executive (c/o Christopher James)</i>	Christopher James

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 22

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

AGENDA ITEM 23

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