



**CABINET
AGENDA**
for the meeting
on
26 July 2021 at
6.30 pm

To: Croydon Cabinet Members:

Councillor Hamida Ali, Leader of the Council
Councillor Stuart King, Deputy Leader (Statutory) and Cabinet Member for Croydon Renewal
Councillor Muhammad Ali, Cabinet Member for Sustainable Croydon
Councillor Janet Campbell, Cabinet Member for Families, Health & Social Care
Councillor Alisa Flemming, Cabinet Member for Children, Young People & Learning
Councillor Patricia Hay-Justice, Cabinet Member for Homes
Councillor Oliver Lewis, Cabinet Member for Culture & Regeneration
Councillor Manju Shahul-Hameed, Cabinet Member for Communities, Safety and Business Recovery
Councillor Callton Young OBE, Cabinet Member for Resources & Financial Governance

Invited participants:
All other Members of the Council

A meeting of the **CABINET** which you are hereby summoned to attend, will be held on **Monday, 26 July 2021** at **6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Asmat Hussain
Executive Director of Resources and
Deputy Monitoring Officer (Interim)
London Borough of Croydon
Bernard Weatherill House
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www.croydon.gov.uk/meetings
16 July 2021

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<https://webcasting.croydon.gov.uk/croydon/meetings/12781>

If you would like to attend in person please note that spaces are limited and are allocated on a first come first served basis. If you would like to attend in person please email democratic.services@croydon.gov.uk by 5pm the day prior to the meeting to register your interest.

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings [here](#) before attending.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact Victoria Lower 020 8726 6000 x14773 as detailed above.

AGENDA – PART A

1. Apologies for Absence

2. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

3. Urgent Business (If any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

4. Housing Improvement Plan and Board (Pages 7 - 36)

Cabinet Member: Cabinet Member for Homes, Councillor Patricia Hay-Justice

Officer: Interim Executive Director of Housing, Alison Knight

Key decision: no

5. Private Sector Housing Assistance Policy 2021 (Pages 37 - 160)

Cabinet Member: Cabinet Member for Homes, Councillor Patricia Hay-Justice

Officer: Interim Executive Director Housing, Alison Knight

Key decision: yes

6. Rough Sleeping Initiative Fund 2021-22 (RSI4) (Pages 161 - 172)

Cabinet Member: Cabinet Member for Homes, Councillor Patricia Hay-Justice

Officer: Interim Executive Director Housing, Alison Knight

Key decision: no

- 7. 2021/22 (Part) Local Implementation Plan Funding, Bus Priority Funding and Active Travel Funding Programme (Pages 173 - 188)**
Cabinet Member: Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali
Officer: Interim Executive Director Place, Sarah Hayward
Key decision: yes
- 8. Novation of building works and profession services contracts from Brick by Brick for Fairfield Halls (Pages 189 - 198)**
Cabinet Member: Cabinet Member for Culture & Regeneration, Councillor Oliver Lewis
Officer: Interim Executive Director Place, Sarah Hayward
Key decision: yes
- 9. Governance of Croydon Council Companies (Pages 199 - 212)**
Cabinet Member: Cabinet Member for Resources & Financial Governance, Councillor Callton Young
Officer: Interim Executive Director Resources, Asmat Hussain
Key decision: no
- 10. Financial Performance Report - Month 2 May 2021 (Pages 213 - 234)**
Cabinet Member: Cabinet Member for Croydon Renewal, Councillor Stuart King and Cabinet Member for Resources & Financial Governance, Councillor Callton Young
Officer: Interim Director of Finance, Investment & Risk, Chris Buss
Key decision: no
- 11. Croydon Renewal and Improvement Plan - Performance Reporting Framework & Measures Update (Pages 235 - 260)**
Cabinet Member: Leader of the Council, Councillor Hamida Ali
Officer: Interim Assistant Chief Executive, Elaine Jackson
Key decision: no
- 12. Exclusion of the Press and Public**
The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B AGENDA

13. Novation of building works and profession services contracts from Brick by Brick for Fairfield Halls (Pages 261 - 268)

Cabinet Member: Cabinet Member for Culture & Regeneration,
Councillor Oliver Lewis

Officer: Interim Executive Director Place, Sarah Hayward

Key decision: yes

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For General Release

REPORT TO:	CABINET 26 JULY 2021
SUBJECT:	Housing Improvement Plan and Board
LEAD OFFICER:	Alison Knight, Interim Executive Director of Housing
CABINET MEMBER:	Councillor Patricia Hay-Justice, Cabinet Member for Homes
WARDS:	All
COUNCIL PRIORITIES 2020-2024	
<p>Implementation of the council's response to the independent investigation's recommendations through the Housing Improvement Plan, overseen by the independently chaired Housing Improvement Board, is essential in order to ensure that the council provides the best quality core housing management service that it can afford and provides value for money for its tenants and leaseholders.</p>	
FINANCIAL IMPACT	
<p>The financial impact of each workstream will be calculated and brought back to a future meeting of Cabinet, once the Housing Improvement Plan has been finalised and recommended to Cabinet by the Housing Improvement Board.</p>	
<p>FORWARD PLAN KEY DECISION REFERENCE NO.: Not a key decision. The completed Housing Improvement Plan will be brought to a future cabinet meeting for approval.</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

The Cabinet is recommended to

- 1.1 Note the further progress in improving housing conditions at 1-87 Regina Road and further actions in response to the recommendations of the report by ARK, detailed at Appendix 1.
- 1.2 Note the draft Terms of Reference of the Housing Improvement Board, detailed at Appendix 2, to be agreed under delegated authority.
- 1.3 Note the approach to development of the emerging improvement plan for the housing service to be put to the Housing Improvement Board for input.

2. EXECUTIVE SUMMARY

- 2.1 Following an investigation into the housing conditions at some council-owned flats at 1-87 Regina Road, ARK Consultancy published a report with recommendations for improvement. On 17 May 2021 Cabinet approved an initial action plan for the housing service and agreed to the establishment of an independently-chaired Housing Improvement Board. An interim Executive Director of Housing was appointed by the Interim Chief Executive for an initial period of six months to bring additional capacity to provide new leadership and direction for the housing service, conduct a review of the wider housing service, and lead the development and implementation of a longer-term Housing Improvement Plan for the service.
- 2.2 This report updates Cabinet on further progress to resolve problems at Regina Road and assist the residents affected, and actions taken to address the issues identified by ARK as requiring an immediate response. The report asks Cabinet to note the draft terms of reference of the Housing Improvement Board that will oversee implementation of the Housing Improvement Plan and ensure that tenants and leaseholders have a say in shaping the future of the housing service. The report also asks Cabinet to note the approach to development of the emerging Croydon Housing Improvement Plan for the housing service, to be put to the Housing Improvement Board for further shaping and development. The Improvement Plan will address ARK's recommendations for improvement and ensure the council delivers the best core housing service that it can afford, in line with its priorities, and demonstrates to the Regulator of Social Housing that it how it will remedy its breach of the Home Standard and the Tenant Involvement and Empowerment Standard. Once developed, the Plan will return to a future meeting of Cabinet for adoption.

3. BACKGROUND

- 3.1 The council commissioned ARK Consultancy (ARK) to conduct an urgent independent investigation to understand the circumstances that led to residents of three Croydon Council-owned flats at 1-87 Regina Road, South Norwood living in the conditions as publicised in the national news report on 22 March 2021. The council also referred itself to the Health and Safety Executive (HSE) and the Regulator of Social Housing.
- 3.2 The investigation identified no single reason as to why the situation at Regina Road occurred. ARK's report stated that these issues represented *'a failure to deliver even basic 'core' housing services effectively. They are potentially symptomatic of poor performance across the council's housing service and impact on its ability to drive for self-improvement'*. The five key findings about the housing service were:
- a lack of capacity and competence;
 - a poor operating culture with a lack of care and respect for tenants;
 - systemic problems in how the council communicates and deals with tenants' concerns and complaints;
 - weak performance management, meaning senior managers do not appear to know what is going on; and

- poor use of data and ‘intelligence’ by the council and its contractors.
- 3.3 ARK’s report recommended, as an immediate action, the realignment of resources to establish:
- a team focussed on policy and performance and control of service delivery.
 - a team focussed on improving investment planning to ensure homes are sustainable over the longer-term.
 - a strategic group with the power to oversee the development and implementation of a recovery plan and to direct the initial work of the investment planning and control teams.
- 3.4 ARK also made recommendations for improvement in seven areas, on governance and strategic leadership of the housing service; workforce planning and skills development; cultural and behavioural change both of council staff and contractor operatives; tenant involvement; business intelligence; performance management; and complaints handling.
- 3.5 The HSE decided not to pursue any action against the council. However, the Regulator of Social Housing issued a regulatory notice on 20 May 2021, detailing its conclusion that the council had breached the Home Standard and the Tenant Involvement and Empowerment Standard and that consequently there was actual and potential serious detriment to council tenants. The Home Standard requires registered providers to have a cost-effective repairs and maintenance service and to meet all applicable statutory health and safety requirements. The Tenant Involvement and Empowerment Standard requires registered providers to treat tenants with fairness and respect and to have an approach that ensures complaints are resolved promptly, politely and fairly. The regulator stated that it would work with the council as it sought to remedy this breach, including monitoring how it delivered its improvement programme and mitigated risks to tenants throughout. It also stated that it would keep under review whether further regulatory action was necessary.
- 3.6 The council appointed an Interim Executive Director of Housing, who started on 24 May 2021, and Cabinet approved an [Initial Action Plan](#) on 17 May 2021.

4 IMPROVEMENT UPDATE

- 4.1 There has been progress in implementing the initial action plan developed in response to the ARK report and approved by Cabinet on 17 May 2021. The table at Appendix 1 details progress made in addressing each of the 12 Issues Requiring an Immediate Response identified by ARK. These are reported under the headings:
- Compliance and fire safety
 - Repair issues at Regina Road
 - Culture and behaviours
 - Resident engagement and accessibility of the housing service
 - Contract management
 - Asset management.

- 4.2 Development of the council's Cultural Transformation Programme is underway and will also address the need to transform the culture of the housing service while enhancing skills and capability.
- 4.3 A number of operational and strategic meetings and workshops have been held with Axis to consider future development of the relationship between the council and its main contractor. The council is reviewing cases involving high levels of spending and properties with a high volume of repairs jobs and using this data to identify properties that may need more preventative work or an alternative approach.
- 4.4 A deep cleaning regime has been established for all high rise blocks in Regina Road, with a dedicated caretaker now attached to the estate. Tenants have expressed their appreciation to caretakers. The deep clean schedule is being re-introduced across the borough, replacing temporary arrangements introduced to ensure service continuity during the pandemic.
- 4.5 Officers are improving resident engagement to increase their visibility and accessibility and help to develop a resident-focussed housing service. Roadshows will take place around the borough between July and September. This initiative was piloted at Regina Road and welcomed by residents.
- 4.6 A full and comprehensive technical assessment of the council's 26 tower blocks is underway, beginning with seven blocks in South Norwood, Waddon and New Addington North wards (including all three blocks in Regina Road). Once completed, the scope of works will be defined and specifications and technical drawings produced, before delivery of the programme of works commences.
- 4.7 Understaffing was identified by ARK as a contributory factor. The following posts are being recruited to in the housing service:
- Interim Head of Repairs and Maintenance, started on 28 June
 - Compliance Manager, recruited and starting on 2 August
 - Senior Fire Safety Surveyor, at interview stage
 - Two principal asset management analysts (one a secondment); the permanent post at interview stage, the secondment offered and accepted.
 - Recruitment to fill caretaker vacancies is underway.

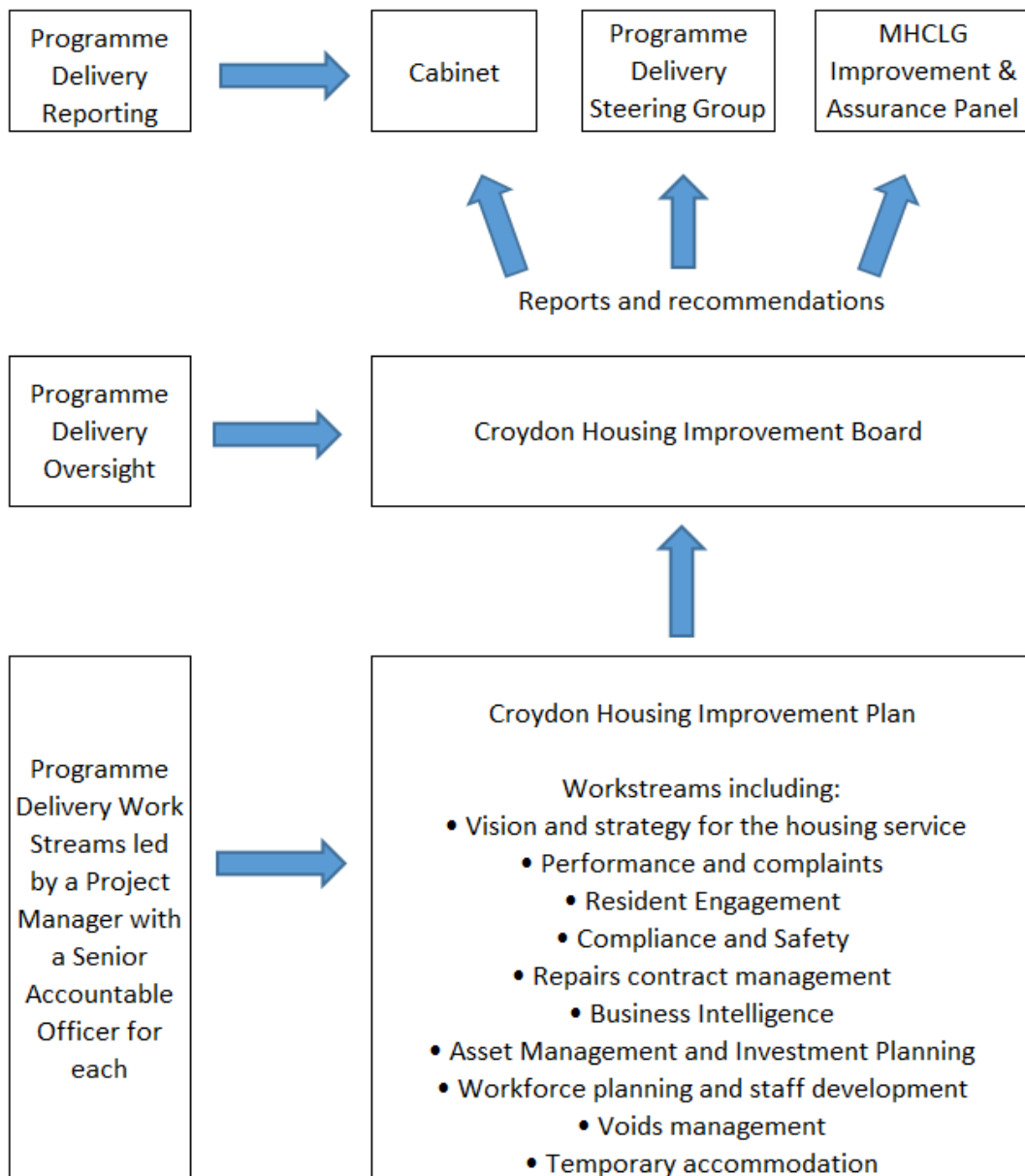
5 HOUSING IMPROVEMENT BOARD

- 5.1 The Housing Improvement Board will be an independently chaired body reporting and making recommendations to Cabinet. It will influence development of the Croydon Housing Improvement Plan (CHIP), and recommend it to Cabinet for adoption. While the Board will not be a decision making body; its focus will be on commenting on whether or not the council is achieving what it set out to do in the Improvement plan. It will hold the council to account for its delivery. The Board's draft Terms of Reference are at Appendix 1 and its part in the arrangements for the CHIP is illustrated in Figure 1 below.
- 5.2 The Board will provide support, external challenge and oversight that ensures council officers deliver the outcomes of the CHIP, which reflect the aims of the

Social Housing White Paper – “The Charter for Social Housing Residents” - with particular emphasis on 1- 6 below):

1. To be safe in your home.
 2. To know how your landlord is performing.
 3. To have your complaints dealt with promptly and fairly.
 4. To be treated with respect.
 5. To have your voice heard by your landlord.
 6. To have a good quality home to live in.
 7. To be supported to take your first steps to ownership.
- 5.3 It will ensure the council is constantly seeking to learn from best practice elsewhere and builds a learning methodology into its improvement work. The Board will be able to invite external advice where relevant.
- 5.4 The Board will comment on the council’s work in relation to the Regulator of Social Housing (RSH) and make recommendations to assist the Council to ensure it resolves the current breach and regains the confidence of both the Regulator and council tenants.
- 5.5 It will recommend the agreement of a communication plan and implement it to ensure that stakeholders including residents are both updated on progress and have the opportunity to challenge the delivery of the CHIP.
- 5.6 The process for choosing the independent chair of the Board will be agreed by the Interim Executive Director of Housing, the Leader and Cabinet Member for Homes.
- 5.7 The Board’s membership will include resident representation and reflect the diversity of the borough, so that it has a strong, authentic resident voice. It is critical that the lived experience of residents is heard, understood and responded to. In addition to its independent chair, it will comprise:
- Three representatives of Croydon tenants and leaseholders (including from Regina Road)
 - Tenants & Leaseholder Panel (T&LP) member
 - Croydon Improvement and Assurance Panel representative
 - Local Government Association representative
 - Housing Association/London Council - housing representative
 - Representative(s) of the voluntary and community sector in the area(s) of family support &/or, housing experience &/or equality and diversity.
- 5.8 Elected members, including the Leader and Cabinet member for Homes, and officers, including the Chief Executive and Executive Director of Housing, will be in attendance in an advisory capacity. Others will be invited as required, including the Chairs of the General Purposes and Audit Committee (GPAC) and the Scrutiny and Overview Committee (S&OC).
- 5.9 Meetings of the Board will be held in public and consideration will be given to webcasting board meetings. Members of the public may therefore attend as observers. The Board will be able to receive representations from members of the public and have a question and answer session.

Figure 1: Arrangements for delivery of the CHIP



6 HOUSING IMPROVEMENT PLAN

6.1 The Housing Improvement Plan will build on the recommendations of the ARK Report and the initial action plan adopted by Cabinet on 17 May 2021. Through it, the council aims to deliver the best core housing service for residents that the council can afford, in line with its priorities, and will demonstrate to the Regulator of Social Housing how it will remedy its breach of the Home Standard and the Tenant Involvement and Empowerment Standard. It will put in place strengthened governance and management controls, improved tenancy engagement and robust asset management plans, measured by key performance indicators, to ensure council housing across the borough is safe, warm and decent for our residents.

6.2 The key work streams of delivery include:

1. Vision and strategy for the housing service
 2. Performance and complaints
 3. Resident Engagement
 4. Compliance and Safety
 5. Management of the Repairs Contract
 6. Business Intelligence
 7. Asset Management and Investment Planning
 8. Workforce Planning and Staff Development
 9. Voids management
 10. Temporary Accommodation.
- 6.3 The Housing Improvement Plan will incorporate the work required by the Regulator of Social Housing including the voluntary undertaking about improvements to the housing service that the council will make to the Regulator. The Compliance and Safety workstream will include ensuring compliance with the key provisions in the Building Safety Bill and Fire Safety Bill.
- 6.4 The council's commitment to equality, diversity and inclusion will be integral to each of the work streams listed above.
- 6.5 The Improvement Plan will be a series of workstreams rather than part of the council's housing strategy, but the workstreams will lead to the development of various policies and plans which will support the Housing Strategy and which will be presented to the relevant decision maker, Cabinet or Full Council, as they need to be taken. Development of the Plan will be overseen by the Housing Improvement Board, with input from Board members, including resident representatives. It will also be informed by resident feedback from a 'roadshow' door-knocking exercise between July and September 2021.
- 6.6 The Board will recommend the completed Housing Improvement Plan to a future meeting of Cabinet for consideration and adoption.

7. CONSULTATION

- 7.1 As part of its independent investigation, ARK interviewed council staff, councillors and stakeholders as well as tenants from 1-87 Regina Road. Officers and elected members have held a number of meetings with tenants in the council owned blocks in Regina Road.
- 7.2 Officers are organising a 'roadshow' door-knocking exercise across the borough between July and September 2021 to create opportunities for residents to share their experiences of the council's housing services. The feedback residents provide will help to inform the housing improvement plan and deliver a truly resident-focussed housing service. A similar approach has been piloted over the past few weeks at Regina Road with a dedicated team comprising a tenancy sustainment officer, resident involvement officer, community development officer, repairs inspector and caretaker onsite.
- 7.3 Membership of the Housing Improvement Board will include resident representation and reflect the diversity of the borough, so that it has a strong,

authentic resident voice. The council will consider webcasting board meetings and how best to use social media to support resident engagement. It will also consider holding meetings in a hybrid manner to enhance inclusivity so that people with disabilities and / or caring responsibilities can put themselves forward as a board member or observer. It is critical that the lived experience of residents is heard, understood and responded to. In this way the council intends to develop the Housing Improvement Plan with tenants and leaseholders.

- 7.4 The council is consulting with the Regulator of Social Housing and the MHCLG Improvement and Assurance Panel on the Housing Improvement Board Terms of Reference and the Housing Improvement Plan.
- 7.5 The Housing Improvement Plan will be informed by input from the Housing Improvement Board and the Tenants and Leaseholders Panel. Officers will engage with the Tenants and Leaseholders Panel to improve learning from their previous engagement processes.

8 PRE-DECISION SCRUTINY

- 8.1 The draft cabinet report and appendices were presented to the Streets, Environment and Homes Scrutiny Sub-committee on 13 July 2021 for pre-decision debate. The sub-committee made the following recommendations.
- 8.2 Communication and residents' engagement
1. A communications and engagement plan was needed to map out all the one-off engagement exercises as well as new communication practices to be embedded in new improved ways of working. That plan should be informed by involving the Tenants and Leaseholder panel, including in the development of the new Tenant Handbook.
 2. Further consultation with residents was needed during roadshow exercises, engagement with Residents Associations and Tenants Forums as well as through the Tenants and Leaseholder Panel to identify what they would like to see be made publicly available to further enhance transparency on the progress of the delivery of the Housing Improvement Plan
 3. Work was needed to improve communication with tenants on planned works / planned surveys. Should work be delayed or the original stated deadline missed (often due to reasons beyond officers' control), tenants should be kept informed, so they do not feel that it is a case of just nothing happening.
 4. There needed to be better communication of the responsive repairs contract's social value, including apprenticeships (opportunities and about the types of roles they can lead to)
 5. There needed to be a better corporate definition of what constitutes a complaint and improved understanding of this, and a streamlined complaints process which should be promoted amongst council tenants and leaseholders.
 6. It was recommended that support be given to the initiative of the Tenants and Leaseholders Panel in the development of a Tenants Charter
 7. It was recommended that a diagram be produced to map out the communication routes of casework, enquiries, complaints and the escalation process to clarify to councillors and MPs ways of escalating

urgent housing casework, as current guidance provides a 10 day turnaround which was not adequate for urgent housing case work.

8. Further consideration was needed on the recommendation in Government's Housing White Paper on the use of technology and how it could be incorporated into one of the workstreams of the Housing Improvement Plan. This should include:-
 - The exploration of best practice and existing software packages on tenancy management, repairs and other housing issues and any that are used for general housing communications.
 - Consultation with the Tenants and Leaseholder Panel meeting on use of technology to inform this work.

8.3 Housing Improvement Plan Workstreams

9. It is recommended that a plan for the strategy development in Workstream 1, including indicative timescales, be developed and shared with the Sub-Committee once available.
10. Workstream 7 should be expanded to include in its scope the issue of buildings nearing the end of their life, with further consideration given to how these options are to be assessed, including in relation to the future of some Brick by Brick sites in the vicinity of some of these buildings
11. Workstream 8 needs to address the issue of resourcing, workload allocation and management within the service. Staff can be given the right skills and cultural/behaviour training but if their workloads are still unmanageable as highlighted in the ARK report, they will be set up to fail. This workstream should also include within its scope long-term workforce planning and apprenticeships.

8.4 Board Terms of Reference (ToR)

12. Further work should be undertaken to consider best practice on the set-up of the Housing Improvement Board, particularly regarding membership and review/consider the following before finalising the ToR, including:
 - Number of tenant representatives
 - Ensuring that tenant representatives are not only from formal Residents Associations and Tenants Forums, as many areas where the council has housing stock where there is no residents association
 - Backbencher representation and/or mechanism for backbenchers' input
 - Meeting observers
 - Webcasting of meetings
 - Holding meetings in a hybrid manner to enhance inclusivity so that people with disabilities and / or caring responsibilities can put themselves forward as board member/observer
 - Term of the chair (elected/number of mandates/criteria/skills, experience and behaviours required)
13. It is requested that the revised ToR are circulated to the Sub-Committee before approval and to ensure the ToR included as appendix marked as draft in the cabinet report.
14. The Housing Improvement Board once set up should be given a role to inform the budget setting process (Medium Term Financial Strategy as well as Housing Revenue Account (HRA) and the upcoming HRA review (if the timings of the review allow).

9 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 9.1 There are no immediate implications for additional staffing, other revenue or capital costs arising from creating the Housing Improvement Board as the initial assumption is that additional work involved in reporting to the board can be managed within the existing establishment.
- 9.2 The financial impact of implementing the Initial Action and Improvement plan will include an unquantified increase in responsive repairs costs; additional staffing costs to create the Policy and Performance and Investment Planning teams; an increase in training and development and other HR support costs and the cost of investment in digital systems and reporting tools (Business Intelligence). Detail of the plans for this increased spend will need to be approved via appropriate governance mechanisms. The financial impact of each workstream will be calculated and brought back to a future meeting of Cabinet, once the Housing Improvement Plan has been finalised and recommended to Cabinet by the Housing Improvement Board.
- 9.3 The Responsive Repairs budget is £14.18m for 2021-22 and the base budget for Planned Maintenance work is £26.771m. Both of these budgets will need to be reviewed for 2021-22 and future years to ensure that assets are appropriately maintained, tenants are provided with services that are fit for purpose and that the long term financial stability of the Housing Revenue Account (HRA) is secured.

The effect of the decision

- 9.4 The challenge will be to ensure that robust controls and monitoring measures are in place around the implementation of improvement plans that must be set out in more detail at a later date.

Risks

- 9.5 In developing its action plan the council recognises the importance of listening to its tenants and leaseholders in identifying and reducing risk to them and for the council. There is a long term financial risk in insufficiently investing in HRA assets that must be considered in reviewing and setting the budget.

Options

- 9.6 The plan will include a review of the Housing Revenue Account (HRA). The options to best meet the needs of council tenants and to manage and maintain the HRA stock should be considered as plans are developed. This will include looking at contracts and building maintenance and considering value for money and the quality of work.

Future savings/efficiencies

- 9.7 No opportunities for savings or efficiencies are presented at this stage of the review process. The HRA operates as a self-financing ring-fenced account with a 30-year business plan to aid in financially managing the account on a long term basis. The impact of making changes to the revenue budget or planned maintenance programme (capital spend) should be tested within the business plan to ensure sustainability of reserve and borrowing levels.

Approved by: Sarah Attwood, Interim Head of Finance

10. LEGAL CONSIDERATIONS

- 10.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Law and Governance that the Council is generally responsible for making sure the structure of rented property is kept in good condition (which includes the walls, ceiling, roof and windows); gas and electricity appliances work safely; and shared parts of a building or housing estate are kept in good condition.
- 10.2 The Council's Tenancy or Lease Agreements set out express terms in relation to both the rights and obligations of the Landlord and the Tenant regarding repair and maintenance responsibilities.
- 10.3 Whether a housing disrepair claim can be made against the Council, principally arises out of contract and statute law.
- 10.4 The basis of a claim can arise under s.11 of the Landlord and Tenant Act 1985 (LTA 1985). In addition, repairing obligations are implied in certain circumstances pursuant to a range of other legislation such as the Defective Premises Act 1972. There are also some standard implied terms developed by the Courts that:
- 1) if a landlord carries out repairs, they must be done with reasonable skill and care using proper materials; and
 - 2) a landlord must not derogate from its grant. This means where a landlord has taken steps, or granted rights to another party, which render the premises unfit or unsuitable for the purpose for which they were let.
- 10.5 Failure to comply with these implied terms can result in a civil claim for damages and specific performance. A claim for compensation can also be made under the Housing Act 1985. Claims in common law nuisance or negligence can similarly arise. Allegations of statutory nuisance can also be pleaded in the Magistrates' Court under the Environmental Protection Act 1990 where this is evidence to support such a claim. A housing conditions claim may include a personal injury element.
- 10.6 Separately the Homes (Fit for Human Habitation) Act 2018 contains implied covenants that residential rented accommodation is provided and maintained in a state of fitness for human habitation.
- 10.7 The Housing Ombudsman (THO) established under the Housing Act 1996 (as amended by the Localism Act 2011) is responsible for investigating complaints about member landlords in accordance with a scheme approved by the Secretary of State. The role of THO is to seek to resolve disputes involving members of the Scheme, including making awards of compensation or other remedies when appropriate, and to support effective landlord-resident dispute resolution by others.
- 10.8 In addition, the Housing and Regeneration Act 2008 established the Regulator of Social Housing (RSH) an executive non-departmental public body of the MHCLG. The RSH sets regulatory standards, codes of practice and guidance for registered providers of social housing. The regulator will consider complaints

and referrals to determine whether there is evidence of a breach of its regulatory standards. The Council has self-referred itself to the regulator.

- 10.9 The *Charter for Social Housing Residents – the Social Housing White Paper* published in November 2020 sets out actions the government propose to take to include a Charter for Social Housing Residents, plans for new regulation, a strengthened Housing Ombudsman to speed up complaints, and a set of tenant satisfaction measures that social landlords will have to report against.
- 10.10 The Local Government Act 1999 imposes a requirement on all local authorities to deliver ‘best value’ which requires the Council to demonstrate that it is making arrangements that are economic, efficient and effective and the Council has had regard to the need to secure continuous improvement in how it carries out its work.
- 10.11 As various workstreams which form part of the proposed Croydon Housing Improvement Plan are brought forward for decision, additional legal advice may be required regarding implementation.

Approved by Sandra Herbert, Head of Litigation and Corporate Law, on behalf of the Interim Director of Law and Governance & Deputy Monitoring Officer

11. HUMAN RESOURCES IMPACT

- 11.1 The Cultural Transformation Programme is essential for successful implementation of the Housing Improvement Plan. The programme will establish and strengthen the behaviours required to transform the housing service, along with the rest of the Council, so that services are delivered in a financially disciplined and motivated way. It will include a programme of training for tenancy officers on setting new standards, bench marking our services and ensuring that outmoded attitudes are addressed. There will be training sessions around customer service, equality and diversity and unconscious bias. Staff will have clarity on what they have to deliver and have the skills and tools to fulfil their roles effectively, while managers will consistently model the Council’s values and behaviours, use systems and data to drive improvement and identify and manage poor performance early.
- 11.2 The senior management restructure and any future planned service changes, will be conducted in accordance with the council’s organisational change policies and procedures and consultation with staff and trade unions.

Approved by: Sue Moorman, Director of Human Resources

12. EQUALITIES IMPACT

- 12.1 The Housing Improvement Plan will build on the [initial action plan](#) approved by Cabinet on 17 May 2021 which will achieve an improvement in the quality, visibility, accessibility and responsiveness of the housing service to the needs of all tenants and leaseholders and improve housing conditions in council homes for all tenants. The [equality analysis](#) carried out on the initial action plan

found that there were no negative impacts for people with protected characteristics.

- 12.2 The ARK report found no clear evidence of racial discrimination, but did find that there were wider issues, with all tenants being seen as less worthy of respect. Immediate measures are under way to improve the operating culture and attitude of staff toward tenants and a longer term cultural transformation programme is being planned to ensure council staff and contractor operatives consistently deliver a tenant-focussed service and have a culture of 'safety first', respect and empathy for tenants. The Council will ensure staff are aware of its Code of Conduct, Commitment to Equality and Equality in Employment Policy, and complete Equality and Diversity ELearning.
- 12.3 Given the high percentage of households from black and ethnic minority backgrounds in the Regina Road flats in particular, among homeless households and council homes generally, compared with the borough as a whole, the work to improve council homes will have a positive impact. This is also true of the planned wider ranging review of the housing service – including the quality and cost of temporary accommodation and the review of historic housing allocations (as the percentage of tenants of flats in Regina Road who are from BAME communities is disproportionately high, compared to the percentage of Croydon Council tenants generally and the population in the borough) and assessment of the housing need of those who need to move to larger accommodation, which will lay the basis for a longer term plan for further improvements to the housing service.
- 12.4 The Housing Improvement Plan will need to take account of the needs of vulnerable tenants, some with other protected characteristics, such as disabilities, to ensure that the housing service is responsive to their needs and works with other council services, such as children's services and adult social care, as well as services from external organisations.
- 12.5 As part of its investigation, ARK interviewed council staff, councillors and tenants from 1-87 Regina Road. Residents of the three blocks at Regina Road have also met with the Leader, Cabinet Member and Ward Councillors. The wider review of the housing service will consider in particular how the council fully involves all its tenants and leaseholders, both in terms of responding to issues raised and in the co-design and co-delivery of services.
- 12.6 A representative of the Tenants and Leaseholders Panel and additional three tenants will be included in the membership of the Housing Improvement Board that will oversee the review as well as the development and implementation of the more detailed Housing Improvement Plan. Tenants directly affected by the Regina Road situation have been invited to take part. The Council will ensure that the resident participation is representative of the diversity of council tenants and leaseholders generally and the tenants who occupy the Regina Road flats in particular. The council will consider holding meetings in a hybrid manner to enhance inclusivity so that people with disabilities and / or caring responsibilities can put themselves forward as a board member or observer.

Approved by Gavin Handford, Director of Policy and Partnership

13. ENVIRONMENTAL IMPACT

13.1 There is no environmental impact arising from this report.

14. CRIME AND DISORDER REDUCTION IMPACT

14.1 There is no crime and disorder impact arising from this report.

15. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

15.1 This report informs Cabinet of the further progress made in improving housing conditions in council blocks at Regina Road and rebuilding the housing service and increasing resident engagement. It seeks approval for the Terms of Reference for a Housing Improvement Board to inform development of an improvement plan and oversee and challenge the Council's delivery of it. The report also asks Cabinet to note the approach to development of the emerging improvement plan for the housing service to be put to the Housing Improvement Board for their input.

16. OPTIONS CONSIDERED AND REJECTED

16.1 None

17. DATA PROTECTION IMPLICATIONS

17.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

YES

17.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO

The Interim Executive Director of Housing comments that the housing conditions experienced by tenants of 1-87 Regina Road and other council properties have been noted in order to arrange repair, and their housing needs have been recorded in order to arrange alternative accommodation where this is appropriate. Personal data held as part of housing IT systems within the council is managed carefully and shared with contractors and partners only as appropriate, in line with GDP regulations.

The management and use of personal data to inform the investigation, this report and the subsequent action plan will not vary from established systems and data management that are deemed compliant with GDP regulations.

Approved by: Alison Knight, Interim Executive Director of Housing

CONTACT OFFICER: John Montes, Senior Strategy Officer, 020 8726
6000 ext 61613

APPENDICES TO THIS REPORT

Appendix 1 – Progress on Issues for Immediate Response identified by ARK
Appendix 2 – Housing Improvement Board Draft Terms of Reference

BACKGROUND PAPERS: None

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PROGRESS ON ISSUES FOR IMMEDIATE RESPONSE IDENTIFIED BY ARK

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
<i>Compliance and Fire Safety</i>		
i. Two unfilled posts in the Compliance function which oversees delivery of health and safety activities in the housing service.	<ul style="list-style-type: none"> • The council is recruiting a Compliance Manager (interviews due on 17 May) and a Senior Fire Safety Surveyor (closing date for applications 19 May), in order to resource the compliance function fully. • As at 4 May 2021, 98.68% of all council social housing homes had a valid gas safety certificate. The council is taking intervention and enforcement actions to ensure all homes have a valid safety certificate. At 4 May, 39 homes were subject to enforcement action to ensure gas appliances are serviced. The level of non-compliance has fallen from 276 homes on 9 April to 172 homes (1.32%) without a valid certificate on 4 May. The council is introducing longer term improvement measures to achieve 100% compliance on all gas safety matters. • The council has instructed a specialist housing and repairs consultancy to undertake from 10 May 2021 a random dip test of homes that were subject to a high priority repair item to provide assurance, or to inform the need for further compliance audits in the months ahead. These tests will also cover gas compliance. 	<ul style="list-style-type: none"> • Compliance Manager has been recruited and starts on 2 August. • Senior Fire Safety Surveyor – 1 post at interview stage • Latest percentage compliance on all gas safety matters (currently 99.37% at 13 July, up from 98.68 on 4 May 2021)
iv. Disruptive work may have compromised fire safety measures – the door to one flat does not meet the required safety standard. ARK has asked for confirmation that works identified in a Fire Risk Assessment	<ul style="list-style-type: none"> • The door to a flat that is vacant, pending the repair of damage caused by the leak, will be replaced as specified by the fire risk assessment, as part of those repairs. • The other recommendations in the fire risk assessment related to residents' items in communal areas. Most of the items to the rear of the block have been removed as well as some 	<ul style="list-style-type: none"> • All outstanding items identified in the Fire Risk Assessment have been completed. • The door to the flat has been replaced with a compliant temporary door, pending delivery of the permanent door. • All items have been removed from inside and outside the block (although residents to continue to dump items on communal landings and outside blocks). A dedicated caretaker visits the high rise blocks every day and removes items left on communal

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
<p>undertaken in October 2020 have been completed in line with recommended timescales.</p>	<p>residents' items in communal areas. Arrangements have been made to remove two remaining items to the rear of the block and action continues for the removal of residents' items that remain in communal areas.</p> <ul style="list-style-type: none"> Recommendations in fire risk assessment reports are made into works orders for immediate attention in the small number of cases that are rated as high priority; otherwise they fed into the planned maintenance programme. The council has sought independent assurance by instructing a specialist housing and repairs consultancy to undertake from 10 May 2021 a random dip test of homes that were subject to a high priority repair item to provide assurance, or to inform the need for further compliance audits in the months ahead. 	<p>hallways and takes them to a holding area outside. Weekly bulk refuse collections are arranged where required.</p>
<i>Repair issues at Regina Road</i>		
<p>ii. Problems at Regina Road such as a leaking roof are still treated as 'one-off' repairs, yet disrepair claims against the council are increasing.</p>	<p>Repairs staff have contacted all other tenants in the block, visiting the flats to identify any other disrepair in the building and schedule appropriate action.</p>	<ul style="list-style-type: none"> Five tenants from 1-87 Regina Road have now been moved to alternative accommodation. Three are awaiting moves, along with another three from another Regina Road block. The repairs at Regina Road continue. In block 1-87, issues relating mostly to damage from leaks and damp have been reported in six flats since the last Cabinet report. On 20 June the roof of 1-87 Regina Road leaked again, with flats on one corner of the building having varying degrees of water penetration. Tenancy staff met the plumber and electrician on site and, with the ward councillors, knocked on all doors to notify tenants of what had happened and the action being taken to resolve the problem, and check whether they were affected. Notes were left where there was no answer. The leak was stopped quickly. Dehumidifiers were not required, the safety of electrical wiring was not compromised and no residents needed to move. A structural engineer and a roofing contractor made an initial

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
		<p>assessment of the roof on 25 June. However, due to conditions at the time and the presence of rooftop equipment (such as mobile phone masts and water tanks), further investigations are needed to provide the necessary analysis of the roof condition. These will require exposure of elements of the existing roofing and will take place by 16 July.</p> <ul style="list-style-type: none"> An asset condition survey of 1-87 Regina Road has been conducted. The draft report will be issued by 31 July due to ongoing assessment of the roof's condition. These surveys will inform an appraisal of options for the blocks at Regina Road.
Culture and behaviours		
<p>iii. Tenants were often seen as demanding, difficult to deal with and less worthy of respect. Some council staff lack empathy with tenants. These attitudes appear to be going unchallenged.</p>	<p>Directors, heads of service and managers have been specifically directed to challenge all instances of outmoded attitudes, disrespect and lack of empathy for tenants. Further action is set out in the initial action plan and this will be a key component of the Interim Executive Director of Housing's work.</p>	<ul style="list-style-type: none"> Two large meetings were held with all council staff and contractor operatives about expectations with regard to behaviours, with case studies of good practice shared. There will be training sessions around customer service, equality and diversity and unconscious bias. Development of the Council's Cultural Transformation Programme is underway and will also address the need to transform the culture of the housing service while enhancing skills and capability. It will include setting new standards, benchmarking services and ensuring that outmoded attitudes are addressed. There will be training sessions around customer service, equality and diversity, and unconscious bias, as well as other gaps identified through a skills audit.
Resident Engagement and Accessibility of the Housing Service		
<p>v. ARK has some concerns about allocations, tenants' understanding of their tenancy status and overcrowding in the block that should be explored further.</p>		<ul style="list-style-type: none"> All tenants at Regina Road now understand their tenancy status. Following the updating of records on household occupants, several tenants have been placed on the transfer list due to the level of overcrowding they are experiencing The allocations policy will not allow anyone needing only one more bedroom to join the housing transfer list, so these families have limited options, such as seeking a mutual exchange with another social housing tenant.

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
<p>vi. The council lacks a simple, effective, clear and accessible route to get tenants' concerns and complaints resolved.</p>	<ul style="list-style-type: none"> • Council staff were present at Regina Road for two weeks to give residents an opportunity to identify any other issues that needed addressing. • A letter to all residents in the block on 29 March gave details of how to contact their tenancy officer. In addition, the council wrote to the residents of all 16 council-owned blocks of flats of similar design with details of how to contact the tenancy service. • The council is in the process of helping Regina Road residents to set up a residents group. 	<ul style="list-style-type: none"> • An audit of allocations to flats in Regina Road (against the allocations policy) is an action in the Improvement Plan. • Officers are organising a 'roadshow' door-knocking exercise across the borough between 13 July and September 2021 to create opportunities for residents to share their experiences of the Council's housing services. This feedback will inform the housing improvement plan and help to deliver a truly resident-focussed housing service. Blocks and estates where there is little resident representation have been prioritised. Ward councillors will receive the schedule of visits. • Two teams, each comprising an officer from the tenancy and the resident involvement teams, will invite residents to complete a survey which asks for feedback about their experience as a council tenant or leaseholder. Residents will also be encouraged to help the council monitor its housing services by getting involved in resident participation activities. Those not at home will be left a calling card so that they can provide feedback at a time that's suitable for them. An update with useful contacts in the housing service will be published in the next edition of <i>Open House</i>, a council publication sent to all council tenants and leaseholders. We will also ask residents about their preferred form of communication; this feedback will be shared across the service to improve how we engage, so that it's a more positive and satisfactory experience for residents • A similar approach has been piloted at Regina Road with a dedicated team comprising a tenancy sustainment officer, resident involvement officer, community development officer, repairs inspector and caretaker onsite. Residents welcomed the ability to speak to a council officer face to face regarding any issues or concerns and the direct access to a repairs inspector. • Residents at Regina Road have set up their own group. The Council is working to build a relationship with them, working closely with ward councillors and the Tenants and Leaseholders Panel.

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
vii. Tenants do not know to whom they should report failures in the day-to-day repairs service or non-repair issues and often do not know their tenancy officer.	Council staff were present at Regina Road for two weeks to give residents an opportunity to identify any other issues that needed addressing. A letter to all residents in the block on 29 March gave details of how to contact their tenancy officer. In addition, the council wrote to the tenants of all 16 council-owned blocks of flats of similar design with details of how to contact the tenancy service.	<ul style="list-style-type: none"> • Roadshows (with Tenancy and Resident Involvement Officers) are planned for all tower blocks. Information on contacts for raising issues to be handed out. Information on contacts will be included in <i>Open House</i>. See vi above. • 38 residents of the Regina Road blocks who have not yet had a direct conversation with housing officers will receive a letter offering a conversation or a meeting.
Contract Management		
viii. Relations between the council and its main contractor appear to focus on monitoring performance rather than actively managing it.		<ul style="list-style-type: none"> • A number of operational and strategic meetings and workshops have been held with Axis to consider the future development of the relationship between the Council and its main contractor. • Weekly meetings look at cases involving high levels of spending and properties with a high volume of repairs jobs, those relating to disrepair and complex cases. The Council is working towards a more proactive use of this data to identify properties that may need more preventative work or an alternative approach. • The new Interim Head of repairs and maintenance started on 28 June 2021
Asset Management		
ix. Intelligence and data exist in 'silos' and do not appear to be drawn together to give a holistic view of asset performance or inform strategic decision making or budget setting.		<ul style="list-style-type: none"> • A data gap analysis will need to be carried out to establish HRA asset intelligence. This analysis may be procured via the existing housing partnering advisor to coordinate as it will need input from multiple services and capacity is limited currently. • The gap analysis also applies to compliance data which is held in different data sets with different services and is not always consistent. • The current APEX asset management system is due to be replaced by December 2021 with a Northgate system. Significant data cleansing will need to take place before then. The new system is expected to improve asset data intelligence sharing and retrieval. • A corporate HRA investment strategy will need to be developed and agreed. This strategy will in part be informed by the stock condition surveys. Discussions are already underway as to how

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
		<p>best to share and configure repairs data to inform planned investment decisions.</p>
<p>x. Surveys of half the flats at 1-87 Regina Road identified damp, mould and condensation. The council planned to investigate the installation of a mechanical ventilation system before Covid struck, but the roof was considered 'fit for purpose'. However, leaks into the top floor flats are now common, with patch repairs having limited effect.</p>		<ul style="list-style-type: none"> Asset condition survey of 1-87 Regina Road has been conducted. The draft report will be issued by 31 July due to ongoing assessment of the roof's condition (see ii above).
<p>xi. The high level of responsive repairs demanded suggests the need to proactively invest in homes. The council should assure themselves that key data on stock condition and health and safety responsibilities is accurate.</p>	<p>The council has authorised recruitment of two principal asset management analysts.</p>	<ul style="list-style-type: none"> Recruitment of two principal asset management analysts (one a secondment) is under way. The permanent post is at interview stage. The secondment has been offered to a candidate who has accepted. Asset condition survey of all tower blocks underway, starting with first seven blocks (including those in Regina Road). This will produce accurate and up to date data. Significant data cleansing will be needed prior to the introduction of a new Northgate asset management system, which is expected to improve asset data intelligence sharing and retrieval (see ix above).
<p>xii. The council should proactively survey other blocks of similar age to Regina Road and develop clear plans for their future.</p>	<p>Precautionary checks will be conducted at all 26 council-owned high-rise blocks, starting in May 2021.</p>	<ul style="list-style-type: none"> A full and comprehensive technical assessment of the Council's 26 tower blocks is underway, beginning with seven blocks in South Norwood, New Addington North and Waddon wards (including all three blocks in Regina Road). The surveys are led by independent building surveyors and examine the following aspects:

ARK Issue for Immediate Response	Progress reported to Cabinet on 17 May 2021	Further progress to report
		<ul style="list-style-type: none"> ○ Structural integrity of the building ○ General condition of stock and key components (against the Decent Homes Standard) ○ Fire safety requirements ○ General compliance, health and safety (against the Housing Health and Safety Rating System) ○ Collation of available statutory certification and documentation. ● Having understood the type, urgency, volume and cost of works that need to be undertaken across the tower blocks, the scope of works will be defined and specifications and technical drawings produced, before delivery of the programme of works commences. External expertise will be commissioned to inspect and sign off all works. In addition, reactive and planned works will be coordinated in future and new condition surveys undertaken across the estate on a five-year cycle.

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**DRAFT CROYDON HOUSING IMPROVEMENT BOARD
TERMS OF REFERENCE & MEMBERSHIP**

NAME	Croydon Housing Improvement Board
DATE	July 2021 (Board proposed to commence September 2021, due to Cabinet timetable and Board recruitment requirements)
CHAIR	TBC – Independent Chair
FREQUENCY	Every other month - public meetings
MEMBERS	<ul style="list-style-type: none"> • Independent Chair • Three representatives of Croydon tenants and leaseholders (including from Regina Road) • Member of Tenants & Leaseholder Panel • Croydon Improvement Panel Representative • Local Government Association Representative • Housing Association/London Council - Housing Representative • Representative(s) of voluntary & community sector in the area(s) of family support &/or, housing experience &/or equality and diversity <p>Membership should reflect the diverse demography of the Borough, and should have a strong, authentic resident voice across the types of tenancy available in the Borough. It is critical that the lived experience of residents is heard, understood and responded to.</p>
IN ATTENDANCE (ADVISORY)	<p>Leader of the Council Cabinet Member for Homes Opposition Cabinet Member for Homes Chief Executive Executive Director, Housing Director of Public Health Director of Finance, Investment and Risk (S151) Executive Director Health, Well Being and Adults (DASS) Executive Director Children, Families and Education (DCS) Equalities Manager Communications Officer</p> <p>Other invitees as required, including Chair of GPAC and Chair of Scrutiny, again representing the diverse demography of the Borough.</p> <p>Elected members may attend the Board as appropriate.</p>

PURPOSE	<p>The Croydon Housing Improvement Board will be an independently chaired body reporting and making recommendations to Cabinet. It will influence the development of the Croydon Housing Improvement Plan (CHIP), and recommend approval of it to Cabinet. It will hold the Council to account for the delivery of the CHIP through the review of performance improvement data against a plan of action approved by Cabinet.</p> <p>Through their regular meetings the Board will support and challenge the implementation of the CHIP which aims to deliver an improved housing service for local residents, with strengthened governance and management controls, improved tenancy engagement and robust asset management plans, measured by key performance indicators, to ensure council housing across the borough is safe, warm and decent for our residents.</p> <p>The Board will provide challenge and external oversight that ensures council officers deliver the outcomes of the CHIP, which reflect the aims of the Social Housing White Paper – “The Charter for Social Housing Residents” with particular emphasis on 1- 6 below):</p> <ol style="list-style-type: none"> 1. To be safe in your home. 2. To know how your landlord is performing. 3. To have your complaints dealt with promptly and fairly. 4. To be treated with respect. 5. To have your voice heard by your landlord. 6. To have a good quality home to live in. 7. To be supported to take your first steps to ownership. <p>In addition the Board may make recommendations to the Council to ensure that the Improvement Plan encompasses a work stream around key provisions in the Building Safety Bill and Fire Safety Bill.</p> <p>The Board will comment on the Council’s work in relation to the Regulator for Social Housing (RSH) and make recommendations to Cabinet to assist the Council to ensure it resolves the current breach and regains the confidence of both the Regulator and council tenants.</p> <p>The Board will review the impact of the Croydon Housing Improvement Plan through the use of data, showing progress against clear, measurable objectives within the plan. Each objective will have a baseline measure(s) to show a starting point, a target for improvement, and</p>
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	interim milestones. The Board will receive reports as to progress, including escalations around blockers, as well as areas of expedited achievement &/or over/early delivery.
Constituent parts of the Plan	<p>The CHIP builds on the recommendations of the Ark Report May 2021 and Cabinet Report of 17 May 2021 with initial action plan.</p> <p>The key work streams of delivery include:</p> <ul style="list-style-type: none"> • Operational improvement • Strategy and Policy Improvement • Resident Experience • Cultural Improvement <p>The Council's commitment to equalities, diversity and inclusion will be integral to each of the work streams listed above.</p>
ELECTION OF VICE CHAIR	The Board will nominate and agree a vice-chair from its membership who can deputise in the absence of the chair.
ROLE OF BOARD	<ol style="list-style-type: none"> 1. Influencing development of the Croydon Housing Improvement Plan (CHIP) and recommending it to Cabinet for approval. 2. The Board will make recommendations to Cabinet on actions to consider to ensure the delivery of the CHIP and achievement of sustainable improvement within the agreed timescales and cost. 3. Provide challenge and opportunities to ensure that actions taken meet the improvement outcomes that are required of the Council. 4. Ensure that the Council hears, understands, and responds to lived experience of residents housed within the borough. 5. Ensure the Council is constantly seeking to learn from best practice elsewhere and builds a learning methodology into its improvement work. The Board to invite external advice where relevant. 6. Recommend to Cabinet a suite of performance measures, aligned to the Council's Corporate Performance Framework, to assure the delivery of the Housing Improvement Plan. 7. Report quarterly to Cabinet on its work.

	<p>8. Propose and recommend the Council agree a communication plan to ensure that stakeholders are both updated on progress and have the opportunity to challenge the delivery of the CHIP.</p> <p>9. Ensure that the appropriate officers keep residents, council staff and all members are informed on a timely basis of the progress on implementing the CHIP.</p>
ACCOUNTABILITY & REPORTING RELATIONSHIPS TO OTHER BODIES	<p>The Board will report to Cabinet and provide updates to both the Renewing Croydon Programme Steering Group, and also the MHCLG Improvement & Assurance Panel.</p> <p>The membership of the Board are able to invite members of another relevant body or board to attend a meeting to inform the discussion on an agenda item.</p> <p>The Board will provide a layer of external engagement and accountability for the Council in relation to the development and implementation of measures to improve its housing service. It does not preclude or prevent Scrutiny & Overview or GPAC from fulfilling the duties as described in the Council Constitution. The Chairs of both committees will be invited to attend the Board.</p>
REPRESENTATIONS FROM MEMBERS OF THE PUBLIC	<p>The Board will be able to receive representations from members of the public and have a question and answer session.</p> <p>Questions or representations which relate to a current planning or licensing matter or any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment shall not be permitted. In addition, questions/representations shall not be received or responded to where they pertain to anticipated or ongoing litigation, conciliation or mediation or any employment or personnel related issues or disputes. A named member of staff shall not be the subject of a question/representation.</p>
MEMBERSHIP OF THE BOARD	<p>Recommendations for changes to membership of the Board can come from the Board or the council and will be proposed to Cabinet for decision.</p>
BOARD MEETINGS	<p>Meetings of the Board will be held every other month and the agenda and papers will be circulated one week in advance.</p>

	Meetings will be held in public and will be up to two hours in duration.
STANDARD AGENDA ITEMS	<p>Agenda to be set by the Chair as they see fit, standard items may include:</p> <ul style="list-style-type: none"> • Review minutes, actions and matters arising • Feedback from Representatives of Croydon Tenants & Residents' Associations, and Tenants & Leaseholder Panel. • Any public representation or questions. • Review and challenge to the progress relating to the CHIP. • Review of risks relating to improvement activities.
SUPPORT TO BOARD	The Board will be supported by the Executive Support Officer to the Executive Director of Housing.
REVIEW	There will be a review of the Terms of Reference every six months as a minimum, and any changes will be recommended to Cabinet for decision.
DECLARATIONS OF INTEREST	<p>The Council's Code of Conduct for Members requires Members of the Council to declare disclosable pecuniary interests and any other interest that they may have which are recorded within the published register of interests.</p> <p>All members of the Board will be expected to abide by the Seven Principles of Public Life (the Nolan Principles) and any interests declared by Board Members will be recorded in the minutes.</p>
BOARD REVIEW	<p>The Board will conduct a mid-year review of its progress to ensure it is meeting its aims and adding value to the improvement work of the housing directorate.</p> <p>At the end of the year the Board will conduct a full review of its progress and a public report will be produced for Cabinet, RSH and MHCLG.</p>

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REPORT TO:	CABINET 26 July 2021
SUBJECT:	Private Sector Housing Assistance Policy 2021
LEAD OFFICER:	Alison Knight – Interim Executive Director of Housing Yvonne Murray – Director of Housing Assessments and Solutions
CABINET MEMBER:	Councillor Patricia Hay- Justice Cabinet Member for Homes
WARDS:	ALL

COUNCIL PRIORITIES

[Council's priorities](#)

- We will live within our means, balance the books and provide value for money for our residents.
- We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.
- We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe. To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand.

Summary of Report

The Housing Assistance Policy 2021 sets out how the Council will provide assistance to homeowners and private tenants to enable them to keep their homes in good repair and free of hazards, and enable them to live as independently as possible.

The Policy also sets out the assistance available to disabled people to help them adapt, improve or repair their homes. Poor quality housing has an impact on the health of the occupants and on the quality of life in an area.

Improving the condition of private sector properties contributes to the regeneration of the borough and towards the target for increasing the number of decent homes occupied by vulnerable households in the private sector.

Raising standards in these properties contributes to safer, stronger and more sustainable communities, improving health and wellbeing and improving the environment, and by allowing people to remain living in their own homes reduces the financial pressure on the council by reducing costs of long term care.

Reduces the cost of temporary accommodation if their home is not habitable, due to disabilities, as a Council has duty under the Housing Act.

FINANCIAL IMPACT

A total of £2.9 million budget is included within the 2021/22 (provisional) Housing Investment Programme for expenditure on the housing renewal programme. This is comprised of £2. million of Disabled Facilities Grant and £0.5m Empty Homes Grant.

The DFG grant for 21/22 has been confirmed, after the budget was originally set, as £2.99m – an increase of £0.59m on the original budget. Additionally, the limit on secured homeowner loans is to be set at a limit based on the prior year repayment income received, for 2021/22 this will be £0.23m. The Housing Assistance Policy amendments reflect the need to keep expenditure within this budget.

FORWARD PLAN KEY DECISION REFERENCE NO.: 1821CAB

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

Cabinet is recommended to:

- 1.1 Approve the Private Sector Housing Assistance Policy 2021 (“the Policy”), Appendix A to this report.
- 1.2 Delegate authority to the Executive Director of Housing to make minor amendments to the Policy including in relation to typographical errors or updating post holders titles as necessary.
- 1.3 Note that in respect of the 6 month Pilot Scheme detailed at paragraph 3.4 of the report and Section 10 of Appendix A, the outcome of the Pilot will be reported back to Cabinet to determine whether or not it is appropriate for the Pilot scheme to be incorporated into the Private Sector Assistance Policy beyond that 6 month time frame.

2. EXECUTIVE SUMMARY

- 2.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (“The Order”) permits the Council to provide assistance in relation to housing in certain circumstances and subject to certain requirements but before the Council may do so, it is required to have adopted and to publish a Policy detailing how this assistance will be provided and the conditions which attach to that assistance. Historically the Council have called this the Housing Renewal Policy. The first Policy was agreed by Cabinet on 7 April 2003 and set out the assistance that the Council would give for housing renewal. It was agreed that the Policy should be subject to regular review. The Policy was last reviewed in 2013 (Minute A115/13) and amendments to cover empty properties were made in 2014

2.2 Croydon Private Sector Housing Assistance Policy 2021.

Croydon has had a housing assistance policy for many years detailing the types of assistance available. The previous policy, approved in 2014, has been

reviewed and the new draft policy sets out how Croydon proposes to use the various powers available, including the provision of financial assistance in the future.

Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. Though agreeing with the Government's view that it is primarily the responsibility of homeowners to maintain their own properties, the Council is committed to improving housing quality across all tenures.

It is accepted that some homeowners, particularly the elderly and the most vulnerable, do not have the necessary resources to keep their homes in good repair or to provide adaptations to assist with daily living. The provision of assistance by the Council benefits the health of the residents, protects and maintains the property and allows the residents to remain living independently.

The Order repealed much of the historic legislation governing the provision of renewal grants to homeowners and replaced it with a wide-ranging power to provide assistance for housing renewal in the private sector.

3. DETAIL

3.1 The Order provides the Council with wide ranging powers to assist private homeowners. The previous revision of the policy on housing assistance included a number of key changes to the types of assistance the Council would offer private homeowners.

3.2 The Current economic climate and financial restrictions in regard to budget have been taken into account when reviewing the policy. The Disabled Facilities Grant and Discretionary Disabled Facilities Grant are funded by a capital grant provided by the Government for the provision of adaptations in private sector housing. It should be noted that this funding can only be used for the purpose of DFG's. The budget has seen growth in the award to Croydon in the last 5 years from £1.2 million in to £2.9 million in 21/22.

Proposed changes and background reasons for change

3.3 The changes proposed below and detailed in the draft policy at Appendix A are based on evidence of local need, the need to maximise spend against Croydon's increased Disabled Facilities Grant budget and also on increases in building and other costs, especially in London, since the previous policy was approved in 2014.

The background to the need for continuing to provide assistance in the private sector as well as the Council's key priorities and an evidence base of local need are set out in section 1-4 of the draft policy.

It is recommended that the Council continue to provide:

- Mandatory Disabled Facilities Grants (Mandatory DFG)
- Home Investment Loans
- Home Repair Loans

- Croydon Energy Loans
- Empty Property Loans

3.4 Proposed changes to current policy, all of which will benefit residents of Croydon:

- Offer a new **Discretionary Disabled Facilities Grant' (DDFG)**. The proposals for this new funding are detailed in section 9 of Appendix A. This is intended to assist those residents with disabilities who may fall outside the current mandatory grant criteria or where the cost of the needed adaptation exceeds the mandatory maximum level of £30,000. For example the cost of multiple adaptations in a single home is not possible to fund within the mandatory grant limit and as such many much needed adaptations do not proceed for financial reasons.

All DFG applicants are means tested (except in the case of Children). As a result of this means test, if they are deemed to have a contribution towards the grant, but are unable to afford to fund this contribution we are proposing to include reasonable DFG client contributions under a DDFG –as a lifetime charge to be repaid. This is subject to consideration by and recommendations of the Private Sector Adaptations Panel (“the Panel”), The Panel are responsible for reporting in to and making recommendations for consideration by the Executive Director of Housing who makes the final decision. It is recommended that the Council create this discretionary DFG as part of the Policy to enable more people who are ‘cash poor and property rich’ to proceed with their adaptation and thereby support the Council’s objectives, including the priorities detailed earlier in the report.

- It is recommended that, as a 6 month Pilot scheme, the Council offer a new **‘Simple Adaptations Grant’** of up to £5000 that would not carry a means test or 10 year repayment condition (as is the case with the current mandatory DFG). This would be for single adaptations such as a ramp or stair lift or hoists specifically where that is the only adaptation recommended by the Occupational Therapist.

Although the majority of clients are ‘passported’ through the government’s mandatory means test on relevant benefits, it is thought that such a grant could help to provide simpler, single adaptations, where they are the only adaptation required, more quickly.

This is a recommendation suggested by the Ministry of Housing Communities and Local Government (“MHCLG”) to enable low level adaptations to be fast tracked, and would benefit people who are in need of a simple adaptation in order to be discharged home from hospital or residential care. After the 6 month period we will review and present the outcomes to Cabinet with a further recommendation as to whether or not this pilot is incorporated into the policy on a permanent basis. These proposals are detailed in section 10 of Appendix A.

- To increase the maximum amount of re-location funding from £7k to £10K allowed under Mandatory DFG to reflect the increased costs of moving house – to enable a greater uptake of this assistance and enable residents to move to a more suitable home that meets their disability needs or that can be adapted to

better suit them where their current home cannot. (Ref Private Sector Housing Assistance Policy section 8.31 Appendix A)

- The council currently gives £25k per unit to bring empty properties back into use **Empty Homes Grant** (Ref Private Sector Housing Assistance Policy section no. 13.0) on condition that the council is given nomination rights to the property, for 5 years, to use for badly needed temporary accommodation. As an extra incentive for Landlords we would like to add an additional financial assistance of £5000 where landlords agree to make the property accessible (wet rooms etc). The rationale behind this is that there is an acute shortage of adapted Temporary Accommodation (“TA”) properties. It is proposed that the council will retain nomination rights for 5 years to all adapted and non-adapted units.
- To increase the maximum amount for **Home Investment Loan** (Ref Private Sector Housing Assistance Policy section no.7.0) from £20,000 to £30,000 to reflect the increase in both material and building costs, particularly in London, since the previous policy was approved. This will enable us to give more assistance in renovating and repairing the homes of the most vulnerable residents, where appropriate. It allows us to focus on providing the best quality core services, we can afford that keep our most vulnerable residents safe and healthy in their own homes but also reducing high costs of residential care to the council, or expensive TA costs in some instances.

As an example of potential savings Repayable Loan v Residential Care. A repayable loan of up to £30k to upgrade electrical wiring, renew roof, renew windows, damp proofing work, would make the house safe and habitable for an older person to remain living independently. The annual cost of residential care to the council would be approximately £35- 40K per annum. Therefore ‘invest to save’ would enable the council to avoid residential care costs and recover the investment, once the property is sold or transferred. (Ref Private Sector Housing Assistance Policy section no 7.13)

- To increase the means test allowance to savings levels for couples to £20k and individual to £15k. (Ref Private Sector Housing Assistance Policy section no 7.11)
- Some clients are unable to afford their means tested contribution, to their Home Investment Loan, therefore it is proposed that the Council include their contribution as a lifetime charge to be repaid on sale or transfer of the property. An example would be for essential work i.e. provision of safe electrical installation, roof repairs, and damp work. This is subject to consideration by and decision of the Private Sector Adaptations Panel, they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments & Solutions.
- Allow previous Loan applicants to access a further loan up to the new maximum of £30k for new and unrelated work. (Ref Private Sector Housing Assistance Policy section no 6.11)
- **Home Repair Loan** – increase savings level to £6k. (Ref Private Sector Housing Assistance Policy section no 11.2)

- Increase the Home Repair Loan limit from £3k to £4k (Ref Private Sector Housing Assistance Policy section no 11.4)
Include annual service costs of equipment once out of warranty, i.e. stair lifts, hoists etc
- Removal of assistance to tenants or landlords to apply for **energy loans**, as this is felt to be the responsibility of the landlord under the terms of their tenancy agreement.
Private and Housing Association Tenants are still eligible to apply for Disabled Facilities Grants with the Landlords, or Housing Associations' permission.

4. CONSULTATION

4.1 Consultation on the new policy has taken place as follows:

CASSUP Disability forum meeting
Services Users- officers have discussed the proposed changes directly with existing and new applicants and have received positive feedback.
With key staff in Adults Social Care, Community Occupational Therapy Services.
With the Children's Occupational Therapy Service.

5 PRE-DECISION SCRUTINY

5.1 There was no pre-decision scrutiny of the proposals within this report.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

6.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2021/22 £'000	2022/23 £'000	2024/25 £'000	2025/26 £'000
Revenue Budget available				
Expenditure				
Income				
Effect of decision from report				
Expenditure				
Income				
Remaining budget	_____	_____	_____	_____
Capital Budget available				
Expenditure	3,490	3,500		

Loan funding	230	230		
Effect of decision from report				
Expenditure	3,720	3,730		
Remaining budget	<u>0</u>	<u>0</u>	<u> </u>	<u> </u>

6.2 The effect of the decision

6.2.1 The proposed programme for 2021/22 is £3.2709 million including £0.59m from recently confirmed additional DFG grant. This plan consists of £2.99 million to be paid out in disabled facilities grants (from MHCLG) and £072 million for Private Sector Renewal loans/grants including Empty Property Loans, all funded by borrowing or by recovered grants/loans (i.e. reimbursements from private sector individuals due to early sales of their properties)

6.2.2 The following chart is a breakdown of spend over the last 3 years. The proposed changes to the policy are to enable more people to remain living independently in their own homes. It is estimated that by implementing these changes will result in the Council having to spend less money on providing care packages or expensive long term residential care.

6.2.3 For example a repayable loan of up to £30k to upgrade electrical wiring, renew roof, windows, damp proofing work, or £30k to provide a disabled adaptation for a level access shower, ramp, stair lift, hoist etc. can be compared to the cost of residential care to the council of £30-£40k per annum.

6.2.4 Therefore by ‘invest to save’, would enable the council to avoid expensive residential care costs, and recover the investment and recycle the money once the property is sold or transferred.

Breakdown of spend across programme 2018-19 to 2021-22 (forecast)

	2018/2019	2019/2020	2020/2021	2021/2022 (Forecast)
DISABLED FACILITIES GRANT				
Total spend	£1,881,487.22	£1,981,941.15	£2,037,921.20	£2,400,000.00
Grants completed	131	142	159	165
Average cost of completed assistance	£11,669.19	£13,106.06	£11,373.12	£12,000
Grant monies recovered/repaid	£64,509.97	£71,325.01	£108,857.12	N/A
HOME INVESTMENT LOANS				
Total spend	£338,605.50	£336,599.78	£230,295.54	N/A
Loans completed	25	24	25	N/A
Average cost of completed assistance	£13,251.56	£10,577.00	£13,502.67	N/A
Loan monies recovered/repaid	£70,518.25	£218,377.63	£178,683.04	N/A
HOME REPAIR LOANS				
Total spend	£9,335.29	£7,381.50	£3,447.12	N/A
Loans completed	3	3	2	N/A
Average cost of completed assistance	£1,913.61	£2,259.38	£2,047.56	N/A
Loan monies recovered/repaid	£6,836.02	£1,614.96	£2,156.08	N/A
CROYDON ENERGY LOANS				
Total spend	£85,215.94	£44,482.24	£26,997.10	N/A
Loans completed	17	13	8	N/A
Average cost of completed assistance	£3,062.17	£3,525.64	£3,760.14	N/A
Loan monies recovered/repaid	£14,004.00	£15,572.20	£8,737.80	N/A
EMPTY PROPERTY LOANS				
Total spend	£20,000.00	£30,000.00	£110,000.00	N/A
Loans completed	0	0	0	N/A
Average cost of completed assistance	0	0	0	N/A
Loan monies recovered/repaid	£0.00	£0.00	£40,095.84	N/A
EMPTY PROPERTY GRANT				
Total spend	£311,833.34	£535,000.00	£200,000.00	£500,000.00
Grants completed	18	26	5	20
Average cost of completed assistance	£24,643.33	£25,000.00	£25,000.00	£25,000.00
Grant monies recovered/repaid	N/A	N/A	N/A	N/A

6.2.5 The report and the revised Private Rented Sector Housing Assistance Policy detail nine mechanisms of support with objectives including: keeping residents

in their own homes (and out of residential care); increasing the supply of temporary accommodation available to LBC; alleviate risks to the health and safety of Croydon owner-occupiers and reduce fuel poverty amongst owner-occupiers in the borough.

6.2.6 The schemes are managed within the Housing Renewal team in the Housing Assessment and Solutions directorate.

6.2.7 The team and service is funded as follows:

Staff funding (revenue budget)

	£'000
Housing Renewal Team staffing cost	621
Private contractor fees	221
DFG recharge	-228
Administration fee income	-246
Recharges to other services	-358
Housing Renewal Team funding	-832
Net cost of service	10

6.2.8 Fees are recovered for the purposes detailed in the policy document, generally as **17%** of the project costs and are used to offset staffing costs.

DFG

6.2.9 The limit on administration of the Disabled Facilities Grant has historically been around capacity to assess and approve applications for amendments to properties. Part of the grant is used for staff costs within the guidelines for the use of the grant to ensure that lack of staffing does not limit the number of interventions that can be progressed. Additionally, where repayments of the grant are received these amounts are not ringfenced back to the DFG allocation but are recognised as income back to the general fund. The introduction of a new Discretionary Disabled Facilities Grant and a Simple Adaptations Grant and the adjustment of the limits on expenditure should enable increased use of the grant in order to alleviate pressure on budgets elsewhere in the organisation.

Home Improvement Loans, Home Repair Loans and Energy Loans

6.2.10 These loans are offered as interest free long term loans on a long term basis, secured by a charge on the altered property. The type of support offered by these loans evolved from the offer of grants for similar purposes and due to the mechanism of recovery via the legal charge there is limited risk of losses over the long-term. No interest is charged largely because the value in keeping residents out of costly supported accommodation outweighs the amount of interest that would be recovered, particularly at interest rates seen over the past 10 years.

6.2.11 The cohort eligible for these grants would likely be heavily deterred by an interest charge in any format and could therefore reduce take-up to the point of

nullifying the scheme. Any interest charge on a secured long-term loan would need to be at a variable rate linked to Bank of England base rates and with consideration to the rate at which Croydon are borrowing to fund the loans. Additional administration work would be required to issue annual or other periodic statements to borrowers detailing the outstanding loan amount.

Empty Property Loans

- 6.2.12 These loans are issued for 2 years at the Bank of England base rate + 1% as the targeted cohort are landlords seeking to bring empty properties back into use and will be financially benefitting from the completion of works

Special Projects Loan

- 6.2.13 These loans are tailored to each situation under consideration. It is recommended that interest charges are considered in assessing the project and are charged unless there are offsetting benefits to issuing the loan, such as securing nomination rights over the property or properties being renovated.

6.3 Risks

Funding for housing renewal will have to compete with all the other demands on the Council's capital programme, but by investing in maintaining properties enables our residents in the private sector to remain living independently, and therefore negates the high cost of residential care, Temporary Accommodation and the pressure on Social Care budgets.

There will still be a specific capital grant for disabled facilities grants. Example: If the resident cannot afford to adapt their property to meet the needs of the person with disabilities, their only solution may mean turning to the council for assistance with long term residential care, or Temporary Accommodation.

6.4 Options

The programme funds a range of different grants to tackle disrepairs, improve energy efficiency and deliver adaptations in the private sector. The council has sought to maximize resources in this area through a range of funding in specific capital grant. The option of charging interest on more of the loans has been considered but is not favoured as take up of the loans would likely drop substantially.

6.5 Future savings/efficiencies

The programme has the overall aim of avoiding costs for Adult Social Care services and Homelessness services by keeping residents within their own homes.

Recycling the loan fund and registering a charge with HM Land Registry will ensure that whenever a property is sold or disposed of, the money will be returned to the central pot. It can then be recycled to secure improvements/repairs in further properties.

All Home investment loans and grants have conditions attached. If there is a breach of these conditions, such as the sale of the property, within the stated period the monies can be reclaimed. All completed loans and grants are closely monitored through local land charges and land registry and the recovery of the

home improvement loan or grant is rigorously pursued. Approximately £0.3 million is currently recovered and recycled annually back into the programme.

Approved by: Sarah Attwood Interim Head of Finance for Housing

7. LEGAL CONSIDERATIONS

- 7.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that Regulatory Reform (Housing Assistance) (England and Wales) Order 2002/1860 (“The Order”) provides authority to local housing authorities to provide assistance, for the purpose of improving living conditions in their area, to any person for the purpose of enabling that person
- (a) to acquire living accommodation (whether within or outside their area);
 - (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
 - (c) to repair living accommodation;
 - (d) to demolish buildings comprising or including living accommodation;
 - (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.
- 7.2 The power conferred in paragraph 7.1(a) above may be exercised to assist a person to acquire living accommodation only where the authority—
- (a) have acquired or propose to acquire (whether compulsorily or otherwise) his existing living accommodation; or
 - (b) are satisfied that the acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by the carrying out of work of any description in relation to his existing living accommodation.
- 7.3 The Assistance may be provided in any form and may be unconditional or subject to conditions, including conditions as to the repayment of the assistance or of its value (in whole or in part), or the making of a contribution towards the assisted work; but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution.
- 7.4 Before a local housing authority provide assistance to any person, they shall—
- (a) give to that person a statement in writing of the conditions (if any) to which the assistance is to be subject; and
 - (b) satisfy themselves that that person has received appropriate advice or information about the extent and nature of any obligation (whether financial or otherwise) to which he will become subject in consequence of the provision of assistance.
- 7.5 A local housing authority may take any form of security in respect of the whole or part of any assistance. Where any such security is taken in the form of a charge on any property, the local housing authority may at any time reduce the priority of the charge or secure its removal.

- 7.6 A local housing authority may not exercise the above referenced powers in any case unless—
- (a) they have adopted a policy for the provision of assistance under that article;
 - (b) they have given public notice of the adoption of the policy;
 - (c) they have secured that—
 - (i) a document in which the policy is set out in full is available for inspection, free of charge, at their principal office at all reasonable times; and
 - (ii) copies of a document containing a summary of the policy may be obtained by post (on payment, where a reasonable charge is made, of the amount of the charge); and
 - (d) the power is exercised in that case in accordance with that policy.

Approved by Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer

8. HUMAN RESOURCES IMPACT

- 8.1 There are no impacts to staffing levels, restructuring/regrading, recruitment, employee relations, the Council's personnel policies or other human resources matter.

Approved by: Sue Moorman, Director of Human Resources

9. EQUALITIES IMPACT

- 9.1 In April 2011 the Equality Act (2010) introduced the public sector duty which extends the protected characteristics covered by the public sector equality duty to include age, sexual orientation, pregnancy and maternity and religion or belief.
- 9.2 See attached EIA appendix B.

Approved by: Yvonne Okiyo, Equalities Manager

10. ENVIRONMENTAL IMPACT

- 10.1 Use of natural resources (e.g. durability of products and materials, products made with recycled materials to offset raw material use, use of sustainable timber etc.) Wherever possible contractors carry out grant/loan works will be encouraged to use materials from sustainable resources and to reuse and recycle building materials.

11. CRIME AND DISORDER REDUCTION IMPACT

- 11.1 Section 17 of the Crime and Disorder Act 1998 says that without prejudice to any other obligation imposed on it, it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those

functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.

- 11.2 By Section 6 of the same Act the Council and its partners are required to formulate and implement a strategy for the reduction of crime and disorder in the area.
- 11.3 Therefore there are two duties. The first is to formulate and implement a crime reduction strategy. This is about crime which already exists. The second is crime and disorder prevention. Every function shall be exercised to prevent crime and disorder.
- 11.4 **Empty Homes Grant** are available to bring empty properties back into use. The provision of home investment loans helps to bring run down homes back to standard. These measures help to improve the general appearance of an area and to deter criminal activity.
- 11.5 **The Staying Put Garden** scheme provides a gardening service for older and disabled people. Tidy gardens help to reduce the likelihood of these homes being targeted by bogus callers or burglars.

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 12.1 That committee notes and agrees to approve the proposed changes to the current Private Sector Housing Assistance Policy 2021.

13. OPTIONS CONSIDERED AND REJECTED

- 13.1 Croydon has had a Housing Assistance Policy for many years detailing the types of assistance available. The previous policy, approved in 2014, has been reviewed and the new draft policy sets out how Croydon proposes to use the various powers available, including the provision of financial assistance in the future.
- 13.2 The Policy ensures that a range of options are provided to Croydon's residents to access assistance to repair, improve and adapt their properties to enable them to live safely and independently in their own homes.

14. DATA PROTECTION IMPLICATIONS

- 14.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

No DPIA required

Approved by: Yvonne Murray, Director of Housing Assessment & Solutions

CONTACT OFFICER:

Lesley Roman, Staying Put Operations
Manager, 07935 517043.

APPENDICES TO THIS REPORT

Appendix A: Croydon Private Sector Housing Assistance Policy 2021

Appendix B: Equalities Impact Assessment

BACKGROUND PAPERS:

None

CROYDON COUNCIL

PRIVATE SECTOR HOUSING ASSISTANCE POLICY

July 2021

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CROYDON COUNCIL**PRIVATE SECTOR HOUSING ASSISTANCE POLICY****1. INTRODUCTION**

- 1.1 Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. Though agreeing with the Government's view that it is primarily the responsibility of homeowners to maintain their own properties, the Council is committed to improving housing quality across all tenures. It is accepted that some homeowners, particularly the elderly and the most vulnerable, do not have the necessary resources to keep their homes in good repair or to provide adaptations to assist with daily living. The provision of assistance by the Council benefits the health of the residents, protects and maintains the property and allows the residents to remain living independently.
- 1.2 The Regulatory Reform (Housing Assistance) Order 2002 repealed much of the historic legislation governing the provision of renewal grants to homeowners and replaced it with a wide-ranging power to provide assistance for housing renewal in the private sector.
- 1.3 This Policy sets out how Croydon will use the various powers available, including the provision of financial assistance.

2. KEY PRIORITIES**2.1 Croydon Renewal Improvement Plan**

The improvement proposals framed around the different strands of work that will form the Croydon Renewal Plan:

- The new Priorities and Ways of Working;
- Improvements to governance and leadership practice
- Improvements to management practice
- Service improvements to manage demand and cost
- A new system of internal control – Finance, Performance and Risk
- A new approach to involving residents and partners
- A new engagement and involvement programme with staff to create a working environment that values all our staff.
- A new approach to ensuring respect for all and equity of opportunity for our staff.
- A review of the member and officer code of conduct to fully embed the Nolan Principles in all work.

These priorities will be the focus for the organisation and our work with partners, the voluntary sector, our communities and residents and have been incorporated in to our work with the private housing sector.

This policy specifically supports the Croydon Renewal Plan with the priorities for Service improvements to manage demand and cost, and a new approach to involving residents and partners, and in particular aims to:

- Enable older residents and residents with a disability to remain in their own property by the provision of adaptations to meet their individual needs
- Enable residents to move to alternative accommodation if their existing home is unsuitable for adaptation to meet their disability needs
- Enable owner-occupiers whose homes do not meet the Decent Homes standard to carry out works to alleviate serious risks to health and safety of residents or visitors and bring them up to the standard
- Enable vulnerable and low income household owner occupiers and private tenants to carry out repairs and improvements to their homes
- Increase the supply of available accommodation by enabling owners of empty properties to bring them back into residential use
- Enable owner-occupiers and private tenants to make their homes more energy efficient and to reduce fuel poverty

The assistance available is outcome focused and aims to deliver long term, sustainable solutions for individuals and families to secure their independence.

The range of assistance provided under this policy is designed to provide early intervention and prevention activity in this housing sector to improve housing conditions, prevent ill health or accidents arising from poor conditions, to prevent homelessness and increase housing supply. It will:

- concentrate on housing in the poorest condition and on improvements giving the greatest health impact
- be tailored to individual need
- be delivered in the clients own home
- be built around the customer need
- be based on a clear evidence base for Croydon

3.0 **BACKGROUND**

Vision for Croydon

3.1 In 2040 Croydon will be London's most enterprising borough - a city that fosters ideas, innovation and learning, and provides skills, opportunity and a sense of belonging for all. **The Council's Vision for Croydon** is:

- **ENTERPRISING** - a place renowned for enterprise and innovation with a highly qualified and skilled workforce, and a diverse and thriving local economy
- **CONNECTED** - a place that is well connected, easy to get to and around, and supported by infrastructure that enables people to easily come together; with one of the best digital, communications and transport networks in the country

- **CREATIVE** - a place that draws people to its culture and creativity, an inspiration and enabler of new artistic and sporting talent
- **SUSTAINABLE** - a place that sets the pace amongst London boroughs on promoting environmental sustainability and where the natural environment forms the arteries and veins of the borough
- **LEARNING** - a place that unleashes and nurtures local talent and is recognised for its support and opportunity for lifelong learning and ambitions for children and young people
- **CARING** - a place noted for its safety, openness and community spirit where all people are welcome to live and work and where individuals and communities are supported to fulfil their potential and deliver solutions for themselves.

Croydon's Strategic Partnership will achieve this vision by focusing on these six key themes that reflect the priorities expressed by local people.

Our vision statement sets out the quality and scope of change that is sought over the coming years. This is now the point of reference for all other strategies and plans in the borough - ensuring that the same vision and priorities are met and that we are consistent and act together to create a better place in which to live and work.

This policy will contribute towards the fulfillment of these themes.

National and Regional picture

3.2 The Council's Housing Renewal Policy has been influenced by the **National and Regional picture and the Government's key housing-related aims**, which are to:

- Ensure every individual in the country has a decent home which they can afford
- Create attractive, sustainable communities where people want to work and live

The vision for housing in Britain includes:

- A major emphasis on the need to increase home ownership, with help for those whose chances of ownership are limited by the current high house price levels
- an improvement in the quality and image of private rented accommodation which is seen as a particularly important option for young or geographically mobile people
- an increase in the amount of social rented housing
- help for vulnerable people in all tenures to stay in their own homes, for example through adaptations, assistance with renovations and housing related support
- improved quality of housing in all tenures with specific targets for both social and private stock
- a reduction in homelessness together with less reliance on temporary accommodation

Decent Homes Standard

- 3.3 The Ministry of Housing, Communities & Local Government has an objective to:

“Improve the supply, environmental performance and quality of housing so that it is more responsive to the needs of individuals, communities and the economy”.

In line with this, Local Authorities are expected to address non-decent homes in the private sector occupied by vulnerable households in their housing renewal policies.

A decent home must:

- not contain a category 1 hazard
- be in a reasonable state of repair
- have reasonably modern facilities and services
- provide a reasonable degree of thermal comfort.

This Policy sets out a number of tools that the Council will employ to help bring non-decent homes in the private sector occupied by vulnerable households up to standard.

London picture

- 3.4 In addition, the Policy reflects the following key aims set out in the **London Housing Strategy 2018**.

The Mayor’s London Housing Strategy sets out his vision for housing, and his policies and proposals to make it happen. It is a framework for what the Mayor will do over several years, including over £4.8bn of affordable housing investment through to 2022.

The Mayor wants to make the capital ‘A City for all Londoners’. That means meeting London’s housing needs in full, particularly the need for genuinely affordable homes. It means creating a city where businesses can thrive and the environment is protected. It also means that people from all walks of life should be able to share in the city’s success and fulfil their potential.

This vision underpins the five priorities of the Mayor’s London Housing Strategy:

- building homes for Londoners;
- delivering genuinely affordable homes;
- high quality homes and inclusive neighbourhoods;
- a fairer deal for private renters and leaseholders; and
- tackling homelessness and helping rough sleepers.

- 3.5 The Private Sector Housing Assistance Policy has also been influenced by the priorities identified in the **Housing Strategy Cabinet Report 2019 (The full Housing Strategy is currently under revision, and is due in late 2021)**.

The priorities under these three aims will form the basis of a housing strategy.

- create **New Homes in Great Places** that local people can afford to rent or buy
- ensure existing social and private homes become **Good Quality Homes**; and
- provide **Better Access to Homes and Independent Living**, including ensuring people can live independently at home for as long as possible, and preventing and relieving homelessness.

The key areas that the Private Sector Housing Assistance Policy addresses under **Good Quality Homes** are:

1. Help with repairs to private homes for those who need it most
Continue to provide loans for owner occupiers and grants for private tenants to help fund essential repairs and energy efficiency improvements.
2. Bring empty homes back into use
Further develop referral arrangements to improve our intelligence and double Council Tax payable for long term empty properties.

4.0 **CROYDON EVIDENCE BASE OF LOCAL NEED**

Increasing Older Population

- 4.1 The population of Croydon aged 65 and over is predicted to increase by over 15% in the next five years and by over 50% in the next fifteen years.

Croydon Population aged 65 and over, projected to 2035					
	2019	2020	2025	2030	2035
People aged 65-69	15,500	16,000	18,600	22,500	22,700
People aged 70-74	13,500	13,800	14,400	16,800	20,400
People aged 75-79	9,600	9,800	12,300	12,900	15,100
People aged 80-84	7,600	7,600	8,100	10,200	10,800
People aged 85-89	4,600	4,700	5,300	5,800	7,400
People aged 90 and over	2,700	2,700	3,200	3,800	4,500
Total population aged 65 and over	53,500	54,600	61,900	72,000	80,900

Source: www.poppi.org.uk

Dementia

- 4.2 There are an estimated 3,770 people living with dementia in Croydon; this is projected to rise by 14% over the next 5 years, reaching 4,328 by 2025. Approximately two thirds (62.1%) are female.

Croydon's 2012 Dementia JSNA reveals that Croydon has higher dementia needs compared to other London Boroughs, and that this need will rise in years to come. For example, Croydon has:

- 4th highest number of people aged 65 years or older with late onset Dementia
- 5th highest projected number of people aged 65 years or older in care homes by 2030
- 5th highest projected number of people aged 65 years or older providing unpaid care by 2030
- 5th highest projected number of people from BME groups with dementia by 2020
- 7th highest projected number of people aged 65 years or older living alone by 2020

Disability

Children with disabilities

- 4.3 . There are a large number of referrals open to the council for children with disabilities who require adaptations. These include disabilities relating to communication, consciousness, hearing, incontinence, learning, mobility, personal and vision including autism and Asperger's syndrome.

Adults with disabilities

- 4.4 Based on figures for Croydon, taken from the Office for National Statistics (ONS) 2011 Census in 2019:
- 12,782 people aged 18-64 are predicted to have impaired mobility.
 - Over 11,000 people aged over 65 are predicted to have a limiting long term illness that affected their day-to-day activities a lot with another over 13,000 people having their day to day activities affected a little.
 - 9332 people aged 18-64 are predicted to have a moderate personal care disability and 2062 people are predicted to have a serious personal care disability. These include getting in and out of bed, getting in and out of a chair, dressing, washing, feeding, and use of the toilet. A moderate personal care disability means the task can be performed with some difficulty; a severe personal care disability means that the task requires someone else to help.

Source: www.poppi.org.uk

Low Income Households

Out of work benefits

- 4.5 In Croydon, 4.2% of the population (June 2019) were claiming universal credit as compared to 2.8% in London and 2.8% in Great Britain.

Source: <https://www.gov.uk/universal-credit>

Accident (Falls) Statistics for the Older Population

- 4.6 The number of people in Croydon aged 65 and over admitted to hospital as a result of falls is predicted to increase by over 13% in the next five years and by over 52% in the next fifteen years.

Croydon Population aged 65 and over, predicted to be admitted to hospital as a result of falls, by age, projected to 2035					
	2019	2020	2025	2030	2035
People aged 65-69	127	132	153	185	187
People aged 70-74	183	187	195	228	277
People aged 75-79	237	242	303	318	373
People aged 80 and over	1161	1,176	1,293	1,524	1,768
Total population aged 65 and over predicted number of hospital admissions due to falls	1,708	1,737	1,945	2,273	2,604

Source: www.poppi.org.uk

Property Tenure

- 4.7 A high proportion of the Croydon population aged 65 and over own and live in their own homes. Many are on low incomes and are asset rich but cash poor, being unable to afford to maintain or adapt their properties to enable them to remain independently at home.

Proportion of population aged 65 and over by age and tenure for year 2011.			
	People aged 65-74	People aged 75-84	People aged 85 and over
Owned	76.74%	77.75%	73.56%
Rented from Council	11.01%	11.53%	13.16%
Other social rented	5.43%	4.82%	6.56%
Private rented or living rent free	6.81%	5.90%	6.72%

Source: www.poppi.org.uk

- 4.8 Housing is a key determinant of health, and poor housing conditions continue to cause preventable deaths and contribute to health inequalities. LACORS 2010.

Vacant Properties in Croydon

- 4.9 Records show that on 20th May 2019 there were 2070 long term (over 6 months) vacant residential properties in Croydon. Each property represents a home for a homeless household and is a wasted resource.

The Empty Property Service works with owners of vacant homes to return them to use and wherever possible secures use of the property for tenants nominated by the council.

Long term empty homes brought back into use will qualify for the New Homes Bonus where, for the following 6 years, the government will match fund the Council Tax.

Evidence of low uptake of Mandatory Disabled Facilities Grant

- 4.10 In Croydon we have carried out research into the reasons why some residents do not take up this assistance whether before, during or following making an application. The main preventative factors were found to be:
- The existence of a local land charge and repayment condition up to £10,000
 - Cost of adaptation works exceeded the maximum Mandatory DFG limit
 - Client could not afford to pay the excess costs to complete the adaptation
 - Client could not afford to pay their assessed contribution following the statutory means test
 - Client did not want or was unable to cope with the upheaval of major works
 - Client had died prior to an application being made, completed or adaptation provided

Provision of assistance and the need for change

4.11 Based on the needs identified in the evidence and the changes in funding, private sector housing assistance in Croydon will be provided around the following criteria and themes:

Client Based:

- Persons aged 60 and over
- Persons with a disability
- Low income households
- Vulnerable households

Property Based:

- Non-decent homes - Category 1 Hazards
 - Energy Efficiency/thermal comfort
 - Reasonable repair
 - Reasonably modern facilities
- Reducing the number of empty residential properties

Theme Based:

- Prevention and enabling
- Promoting Independence
- Provision of suitable adaptations to meet the needs of persons with a disability
- Falls and injury prevention in over 60 age group
- Reducing excess winter deaths
- Increasing housing supply (including units adapted to meet the needs of persons with disabilities)
- Reducing homelessness via obtaining tenancy nomination rights
- Reducing Fuel Poverty
- Increasing security & providing crime prevention measures
- Handy Person Scheme
- Gardening Scheme

5. **RESOURCES**

- 5.1 The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.

The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.

The amount confirmed nationally for DFG is £573m. Croydon's BCF allocation for 2021/22 for DFG is £2.992m.

5.2 **Disabled Facilities Grant (DFG) – Increased funding**

Changes in how the government allocates funding for home adaptations has caused a significant increase in the funding given to local authorities. This increase has continued in 21/22, and therefore it is appropriate to review the discretionary assistance we make available to adapt and improve living conditions for disabled persons.

The average cost of installing adaptations has increased year on year since the mandatory DFG limit was set in 2008, this is particularly evident in London. As a result many adaptations do not proceed due to insufficient funding. The introduction of discretionary DFG should enable much needed adaptations to proceed.

Where the cost of the eligible works are greater than the maximum grant limit the council may use its discretionary powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to bridge part or all of the gap.

Whilst a review of the current Mandatory DFG has been commissioned, the government has not as yet revised the legislation. Due to the funding increase from the Better Care Fund our key priority is to maximize use of the funding given to Croydon residents for adaptations in the form of discretionary DFGs.

- 5.3 The funding of assistance under this policy is discretionary (with the exception of Mandatory Disabled Facilities Grant) and is financially limited through an annual budget set by Government and the Council.

Croydon Schemes:

The following Capital resources have been allocated for Private Sector Assistance in 2021/22:

Type	Value
Disabled Facilities Grant	£2,992,679
Empty Property Grant	£1,000,000
TOTAL	£3,992,679

It is anticipated that a broadly similar level of resources will be available in for Disabled Facilities Grant in 2021/2. It is anticipated that Capital resources of £500,000 will be available for Empty Property Grant in 2021/2.

The following Loan Fund has been allocated for Private Sector Assistance in 2021/22:

Type	Value
Private Sector Renewal Loans (Home Investment and Home Repair)	£300,000
Empty Property Loans	£200,000
Energy Loans	£100,000
TOTAL	£500,000

6. GENERAL GUIDANCE ON THE OPERATION OF THE HOUSING INVESTMENT PROGRAMME

Eligibility Criteria

- 6.1 Details of the eligibility criteria for applicants, the qualifying works and the means test are given under each type of assistance in the pages that follow. Conditions attached to assistance are given in Appendices A to F. A decision as to which is the appropriate assistance for a given situation will be made by the Council's inspecting officer after visiting a property and in accordance with this Policy.
- 6.2 All assistance is provided subject to finance being available. The Council reserves the right to refuse applications and to have a waiting list.
- 6.3 It is a requirement that all home investment and home repair loan applications are made through the Staying Put Home Improvement Agency using approved contractors.
- 6.4 Assistance (excluding Mandatory Disabled Facilities Grant) may be refused in cases where an applicant is found to have an outstanding debt to the council of any kind. This need not be in relation to the same property that the current application for assistance is for. An applicant with council tax arrears may only apply for assistance once the outstanding debt has been repaid.
- 6.5 The council is not able to offer or approve a loan where the applicant has been declared bankrupt and that bankruptcy has not been discharged.

Unforeseen Works

- 6.6 Any unforeseen works that are identified when works commence will be considered for assistance. These must be seen and agreed prior to them being carried out. An instruction will be given authorising any unforeseen works. The cost will only be allowed up to the normal limit for the type of assistance.

Properties Held in Trust

- 6.7 A trustee or beneficiary applying for assistance must be able to fulfil all the normal conditions. Eligibility for assistance is likely to depend on the terms of the individual trust.

Applications after Commencement or Completion of Works

- 6.8 An application for assistance will not be approved where the relevant works have been completed before the assistance is approved.
- 6.9 Where an application has been received and works have started before the assistance has been approved, only those items yet to be carried out may be considered as part of the application. The only exception to this is certain Disabled Facilities Grant applications where prior agreement of the Council is obtained.

Fees & Other Ancillary Costs

- 6.10 Other charges that are payable in connection with the works may be eligible for assistance. Where applicable, these include:
- confirmation of the owner's interest, if required by the Council
 - technical and structural surveys
 - design and preparation of drawings, plans and schedules of works
 - assistance in completing forms
 - advice on financing the costs of the relevant works which are not met by grant
 - applications for planning permission and building regulation approval
 - applications for listed building consent
 - applications for conservation area
 - obtaining estimates
 - advice on contracts
 - consideration of tenders
 - supervision of the relevant works

- disconnection and re-connection of electricity, gas, water or drainage utilities where this is necessary for the grant-aided works
- the services and charges of an occupational therapist in relation to the relevant works in the case of disabled facilities grant
- Agency fees.

Successive Loans/Assistance

- 6.11 The Council will not generally consider giving assistance on more than one occasion in relation to a specific property. Exceptions to this are where a client is eligible for a home investment loan and also a home repair loan or energy loan or where further unforeseen items of work are later found to be necessary (within the maximum loan/grant limits set out).
- 6.12 It is a condition of all assistance, except for Energy loan, that the applicant maintains the property in a good state of repair, free of category 1 hazards and meets the decent homes standard following the date of completion.
- 6.13 Due to client circumstances, it may occasionally be necessary to be more flexible on which items of work are completed e.g. where the client is unable to cope with certain works for reasons of age or infirmity.
- 6.14 See individual grant/loan limits for further details.

Contractors Issues

Acceptable Estimates

- 6.15 Applications shall be accompanied by competitive estimates from different independent builders, broken down so that there is a separate cost for each item of work. See the table below:

Cost of works	Method:	Notes:
Under £5000	One written Quote but preferably more	Must offer the best value for money
£5000-25,000	Minimum 3 quotes	
£25,000 +	Formal Tendering via an e-sourcing portal or if justified then the invitation of quotations (as row above) can be adopted.	Depending upon value, tendering processes will be undertaken in accordance with the requirements of the Public Contract Regulations 2015.

Applicants may be required to provide additional estimates where those submitted are not completely satisfactory. The Council may check that estimates provided are genuine. Original copies only are acceptable.

However any works may be affected by the **Aggregation Rules** which state:

The person responsible may not divide any Contract ordinarily treated as a single Contract into two or more Contracts or phases, solely in order to reduce the value to below any of the sums mentioned in any of these Regulations.

The value of any Contract to be undertaken in phases is the aggregated value of all phases combined. Any Contracts split artificially to reduce below the threshold of the EU rules may be considered contrary to the EU 'Aggregation Rules' and could result in the Council being subjected to legal challenge.

- 6.16 Applicants cannot provide their own estimates where the works are organized and overseen by Croydon Staying Put Home Improvement Agency who use contractors who comply with the council's current requirements in accordance with Croydon's guidelines. This reduces the risk of poor workmanship and aims to ensure there is adequate control of the management and quality of the building work.
- 6.17 In the case of applications for Home Repair Loans, only one estimate is required where the cost of works is less than £1,000. This will be checked to ensure it reflects best value for money.

Value Added Tax (VAT)

- 6.18 In the case of disabled facilities grants, works are generally not subject to VAT. Some grant-funded energy efficiency works such as the installation of central heating systems, controls for central heating and hot water systems, draught insulation, for example around windows and doors, insulation on walls, floors, ceilings, lofts, etc are taxable at 5% VAT. In all other cases repair or improvement works are taxable at the standard rate of VAT.

Where the chosen contractor ceases to be VAT registered having originally estimated as a VAT registered firm, the assistance amount will be varied to exclude the VAT. Conversely, where the contractor becomes VAT registered having originally estimated as a non-VAT registered firm; the assistance amount will be varied to include the VAT up to the assistance limit.

Conditions Applicable to Contractors who Undertake Works

- 6.19 The assisted works must be carried out by the contractor whose estimate was used as the basis for the eligible cost of works. Only in exceptional circumstances will agreement be given to the use of an alternative contractor, where there are delays and the works needs to be fast tracked. Alternative estimates obtained or provided after the assistance has been approved cannot be accepted, even if the price is lower as this would not constitute open competition. Assistance may not be paid if notification of the change of contractor is not made to the Council.

Estimates/Invoices from Family Members/Associated Contractors

- 6.20 An applicant for assistance (owner-occupier, landlord or qualifying tenant) is prevented from submitting estimates or invoices for work which are from a member of his family, or are his own, or from his own company, or from a company he is associated with. This is to prevent collusion and fraud. However, invoices for materials only from a third party would normally be acceptable.
- 6.21 The Council's financial auditors will examine such documents to prevent collusion and fraud.

Quality of Grant Aided Work

- 6.22 The final payment of assistance will only be made when the works are fully completed to a satisfactory standard and may not be paid if the works are only partially completed. Interim payments may be agreed to the level that is appropriate based on valuation of the works completed.

Payment of Assistance to Contractors

- 6.23 The assistance will be paid directly to the contractor who undertook the works. (Apart from Empty Property Assistance). Where an applicant has a contribution to make towards the cost of the works they will be required to pay this to the contractor before commencement of the works. (Apart from Empty Property Assistance)
- 6.24 Where the works have been carried out to a satisfactory standard, but the applicant unreasonably disagrees, the Council reserve the right to pay the contractor, where it would be unreasonable to do otherwise.
- 6.25 Interim payments will be considered where appropriate to the level that is appropriate based on valuation of the works completed.
- 6.26 The assistance will be paid on receipt of satisfactory invoices, demands or receipts. These should include the following details: the full contractor /company name, address and contact information, VAT registration number (if applicable), the name and address of the payee, details of the applicable works and amount being invoiced, tax point, date and invoice number.

Closure of Applications

- 6.27 Work must be completed and the assistance claimed within twelve months of the approval date (except for Empty Property Grant). An extension of time will only be granted in exceptional circumstances.
- 6.28 All documentation needed for a full application must be received within six months of the initial submission or the application will be closed. In the case of Mandatory DFG applications, a decision must be made within 6 months of a full application being received.

Recovery of Assistance

- 6.29 A registered charge will be placed on the property on payment of the assistance. The cost of this, where applicable, will be added to the loan/grant.
- 6.30 Repayment of any assistance will be pursued where any of the loan or grant conditions, which are applicable following the satisfactory completion of works, have been breached or when the recipient disposes of the dwelling (whether by sale, assignment, transfer or otherwise).
- 6.31 Ownership and occupancy of properties may be checked at anytime following payment of assistance to see if any conditions have been breached.
- 6.32 If a payment has been made and the applicant refuses to have all of the works on the schedule carried out, the charge will be registered against the property at the lower rate.

Fraudulent Applications

- 6.33 The Council will investigate applications that they suspect to be fraudulent and will liaise with and refer to the Corporate Anti-Fraud Team, the local Police, The Department for Work and Pensions and HM Revenue and Customs.
- 6.34 Where a person has made a fraudulent application they will lose the right to apply for assistance. If assistance has been paid and it is subsequently proven that fraud was involved, action will be taken to recover the amount paid.
- 6.35 Any applications which are being investigated in respect of fraud will not be processed whilst the investigation is ongoing.

Information required from Absent Joint Owners or Partners

- 6.36 In some cases applicants are living alone in a property where there is an absent joint owner or partner. In order to establish that the absent joint owner or partner is not living there, and is therefore not a relevant person to the application, it is normal practice to ask the applicant to obtain proof that the person is living elsewhere. The absent joint owner's written permission for the work to be carried out is also required as they have an interest in the property.
- 6.37 In accordance with the Council's policy on Domestic Abuse and Sexual Violence, a flexible approach will be adopted where it is considered that the Council's involvement may encourage this type of behaviour or where we suspect that there may be issues of domestic violence. This may include the acceptance of a sworn statement from the applicant where the absent person refuses to provide the required proof or where it is not considered appropriate to ask for it.
- 6.38 In some cases an absent partner may still be contributing to the upkeep and running of the house and these payments will be taken into account when carrying out the means test.

Environmental Sustainability

- 6.39 The Council is committed to reducing the environmental impact of works associated with housing renewal and will take all reasonable steps to implement Croydon Climate Crisis Commission's recommendations.
- 6.40 The Council's Green Commitment includes the implementation of energy efficiency measures and renewable energy projects where appropriate. It also specifies the use of materials from sustainable resources, low environmental impact, sustainable water management, waste reduction and reuse and recycling where possible in all repair, improvement and adaptation works.

ASSISTANCE AVAILABLE

7.0 DISCRETIONARY HOME INVESTMENT LOAN

Purpose

7.1 This loan is available for the following:

- To remove/reduce category 1 and 2 hazards from a dwelling as identified under Part 1 of the Housing Act 2004; or
- To put a dwelling into reasonable repair; or
- To meet the Decent Homes Standard.

This includes the common parts of the dwelling that an applicant is responsible for under the terms of any lease.

Eligibility

Eligible persons:

7.2 Anyone over the age of 18 who is an owner-occupier.

7.3 The applicant must have owned and resided in the property for at least 3 years prior to and including the date of the application. The only exceptions that will be considered are:

- Where the loan is to be given in conjunction with a disabled facilities grant.
- Where the applicant has a disability.
- Where the property has been vacant for at least 6 months prior to purchase.
- Where the applicant inherited the property and the deceased person lived there and owned it for at least one year prior to their death.
- Where the property has been left to the applicant as part of a divorce settlement.

7.4 An **owner-occupier cannot** apply for Discretionary Home Investment Loan in the following circumstances:

- Where the property has a council tax valuation band of G or H.
- Where the property was built or converted less than 10 years prior to the date of the application.

- Where the property is a second home or a holiday let. This includes owning any second residential property in any location, in the United Kingdom or abroad.
- Where the only works proposed are non-essential, such as decoration or an extension to provide additional bedroom or living room space.

Works covered under Discretionary Home Investment Loan

Properties that have category 1 hazards and/or serious disrepair

- 7.5 All works necessary to remove/reduce hazards (see Appendix G for the list of hazards) plus any additional works to meet the Decent Homes Standard.

Examples of works include:

Serious disrepair e.g.

- replacement of a leaking roof and installation of a damp-proof course.

Electrical Hazards e.g

- re-wiring a dangerous electrical installation or where it is more than 40 years old, including the provision of mains operated smoke alarms.

Excess Cold e.g.

- Where there is no or inadequate heating, the provision of an adequate heating system to the whole property will be considered.
- Works to provide adequate thermal insulation such as the provision of loft insulation up to the current standard required by Building Regulations (where none or less than 150mm exists), cavity wall or solid wall insulation and insulation to water tanks and pipes, will be considered where there are associated repairs.

Mould and damp e.g.

- Works to remedy severe rising dampness in a number of habitable rooms or severe penetrating dampness from defective rainwater goods and eaves guttering.

Falls associated with Stairs and Steps e.g

- Works to remedy serious variations in rise and going within a flight, excessive pitch to a staircase, lack of guarding to one side or absence of any handrail.

Falls on the level e.g

- Works to remedy an excessive slope to a floor or excessive surface variations on a path.

Falls between levels e.g

- Works to remedy an unguarded balcony or landing by providing a balustrade.
- Works to restrict opening of windows with low sill height or to provide guarding or safety glass to low level glazing (below 800mm above floor level).

Structural collapse and falling elements e.g

- Works to remedy falling elements from a dwelling such as slates or bricks and collapse of walls.
- Works to remedy insufficient foundations or disrepair causing inadequate strength to load bearing walls.
- Works to remedy internal floor, ceiling or staircase collapse.

Fire e.g

- Works to remedy inadequate fire resistance to internal partitions/doors and to provide safe means of escape in case of fire.
- Provision of 10 year battery life smoke and heat detectors, where none are existing.

Properties which have category 2 hazards present or which fail to meet the Decent Homes Standard due to disrepair or the age/condition of essential amenities.

- 7.6 All works necessary to remove category 2 hazards and put the property into reasonable repair are covered, for example:

Works to remove category 2 hazards.

Damp and Mould Growth e.g. Works to combat severe condensation including mechanical extractor fans to bathrooms and kitchens and dry lining of certain walls in extreme cases. Additional heating may also be considered. The grant is not for works of extensive modernisation.

Falls associated with stairs and steps e.g. loose or missing handrail to stairs.

Food Safety e.g. renewal of old, badly worn or cracked kitchen sink, provision of adequate food storage provision or adequate kitchen work surface for food preparation for the first time. The renewal of an existing kitchen or where one has been removed is not included.

Repairs.

Repairs may include the repair or replacement of minor roof areas (excluding porch roofs or conservatories/temporary lean-to type structures), guttering, down-pipes, timbers, walls and foundations, floors, staircases, plaster, repairs to defective electrical installations, and most other repairs to the structure.

Repairs to wooden windows are excluded unless the property is a Listed Building or in a Conservation Area and the existing windows must be retained.

- 7.7 All works necessary to provide reasonably modern facilities and services, for example:

Provide an adequate kitchen where:

- the existing one is more than 20 years old or
- the existing one has inadequate space or layout i.e. where it is too small to contain all of the required items, sink cupboards, cooker space, worktops (appropriate to the size of the dwelling)

Provide an adequate bathroom where:

- the existing one is more than 20 years old or
- the existing one is inappropriately located i.e. where the main WC is external or located on a different floor to the nearest wash hand basin; where the main bathroom or WC is located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person); where a WC without a wash hand basin opens onto a kitchen.

Means test for Discretionary Home Investment Loan

Test of resources for owner-occupiers

- 7.8 Assistance will not be provided to applicants where a sole occupier, in relation to the application has more than £15,000 in savings in total, or multiple persons i.e. where an applicant lives with a partner have more than £20,000 in savings in total. It is considered that applicants with savings above these limits have sufficient funds to secure repairs to their properties.
- 7.9 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations and the subsequent amendments thereto, with the exception that the parents of a disabled child or young person will be means tested. The test of resources is based on the regulations governing entitlement to Universal Credit and housing benefit.
- 7.10 The income and capital of each person (the applicant or resident co-owner, usually their partner) is taken into account in the assessment of financial resources.
- 7.11 Where relevant persons are in receipt of Universal Credit, income support, income-based job seekers' allowance/employment support allowance housing benefit, child tax credit/working tax credit (where income is below £15,050) or guaranteed pension credit, a loan can be approved at 100% up to the maximum limit.
- 7.12 Applicants who are self-employed will need to submit certified accounts for a period of at least one year ending on the date of the full application for a loan. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

Maximum amount for Discretionary Home Investment Loan

- 7.13 The maximum loan amount is £30,000 for all applications (including fees, charges and VAT). Where necessary, several applications may be made over time by the same applicant, but the value of works (including fees, charges and VAT) may not exceed this maximum amount in total.
- 7.14 Assistance towards unforeseen works can be given provided that the total loan does not exceed the above ceiling. If unforeseen works take the costs of loan aided works above the maximum amount, this work will not be covered by additional loan funding.
- 7.15 In the case of owner occupied properties where the cost of the works is likely to exceed the maximum loan amount, the applicant will be expected to seek independent financial advice on how they can obtain funding for the amount above the ceiling, or find alternative funding for these additional works. Alternative funding may be available via an equity release scheme.

The Council always advises that clients take independent financial advice before proceeding.

Conditions attached to Discretionary Home Investment Loans

- 7.16 A summary of the conditions applicable to all home investment loans is given as Appendix A.

8.0 MANDATORY DISABLED FACILITIES GRANT

Purpose

- 8.1 This grant is intended to help people with disabilities to live more independently in their home. It includes essential adaptations to enable a disabled person to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.
- 8.2 Where it is not reasonable and practical to carry out the works to the person's existing home, this grant is available to assist them to sell their home and purchase another property that more closely meets their needs. It is also available to assist private tenants with a disabled person in their household to move to another rented property or to move into a property that they are purchasing that more closely meets their needs. Assistance with the costs of moving is only available where the existing property is either unsuitable for the adaptation required or where the cost of adapting the property is prohibitive.

Eligible persons

- 8.3 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.
- 8.4 The council shall not approve an application for a mandatory DFG unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.
- 8.5 In considering the matters in 8.4 the council shall consult the Adult Social Services department. This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.
- 8.6 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.
- 8.7 A mandatory disabled facilities grant is awarded for works that are the most economical means of meeting the disabled person's needs.

- 8.8 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. We would not normally consider an application from a landlord. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities Grant application would be considered from the tenant.
- 8.9 An applicant who is receiving support from another local authority is entitled to apply for a Disabled Facilities Grant if they are resident in the borough.
- 8.10 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable. A registered charge would not be applicable in these cases.
- 8.11 The applicant does not have to be the person with the disability.

Works covered under Disabled Facilities Grant

8.12 **Access to and from the dwelling or building, e.g.**

- hard standing for pavement vehicles, so far as it provides access to the dwelling;
- fixed ramps to doorways;
- mechanical step lifts, including a 5 year warranty;
- alteration of double-glazed porches where wheelchair access is difficult;
- garden rails for access;
- outside lighting where required for access facility;
- "up and over" automatic garage doors;
- automatic door openers.

8.13 **Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.**

- fixed ramp access to rear garden within the curtilage of the dwelling
- mechanical step lifts, including a 5 year warranty

8.14 **Facilitating access to a room used or usable as the principal family room.**

- 8.15 **Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.**
- lift access to existing bedrooms, including a 5 year warranty;
 - garage conversion when made into shower room and bedroom;
 - building an extension onto a property where there is only one principal family room that cannot be divided.
- 8.16 **Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.**
- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);
 - modified kitchens, if to be used by disabled occupants;
 - extractor fan where window opening not possible by disabled occupant;
 - automatic wash and dry toilets;
 - complete bathrooms, where existing facilities are inaccessible or unsuitable;
 - garage conversion when made into shower room and bedroom.
- 8.17 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 8.18 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 8.19 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**

8.20 Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.

- provision of specialised lighting;
- toughened or shatterproof glass;
- installation of guards around certain facilities such as fires and radiators;
- reinforcement of walls, floors and ceilings in exceptional cases;
- cladding of exposed surfaces and corners to prevent self injury;
- pad a room with an observation window in the door, for a self-injurious dependent.

8.21 Assistance with the costs of relocating to a more suitable property.

Assistance can be provided towards the general costs of selling one property and buying an alternative property or in the case of private tenants, to move to another rented property or to purchase and move to another property.

For example:

- Surveyors, valuation and solicitors fees (and disbursements) for the sale & purchase of the properties
- The costs of packing, moving and relocating furniture and belongings into the new property
- Mortgage administration costs and Estate Agent fees (limited to a maximum of 1.5% of the property value)
- Rental deposit.
- This cannot be used to cover the payment of stamp duty.

8.22 Other Eligible works, e.g.

- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
- window openers;
- facilitating wheelchair access internally;
- providing separate sleeping accommodation for a dependant who requires attention at night.
- A range of aids and adaptations assessed by an Occupational Therapist (OT) or OT assistant to make changes which support a client

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living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

8.23 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that the living or dining room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended by the council's Occupational Therapist except in exceptional circumstances. In such cases the Private Sector Adaptations Panel will consider the matter and make a recommendation to the Director of Housing Assessments and Solutions. .

The Private Sector Adaptations Panel:

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptions Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

Means test for Mandatory Disabled Facilities Grant

Test of resources for owner occupiers and tenants

- 8.24 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2009 and the subsequent amendments. It is based on the regulations governing entitlement to Universal Credit, housing benefit and council tax benefit. The income and capital of each relevant person (the disabled occupant and their spouse or partner) is taken into account in the assessment of financial resources.
- 8.25 In the case of families with a disabled child or young person there is no means test and 100% grant is awarded up to the maximum limit.
- 8.26 Where any relevant person(s) are in receipt of Universal credit, income support, income-based job seekers allowance/employment support allowance, housing benefit, child tax credit/working tax credit (where income is below £15,050) or guaranteed pension credit, 100% grant is awarded up to the maximum limit.
- 8.27 Relevant persons who are self-employed will need to submit their most recent audited accounts for a period of at least one year prior to the date of the full application for grant. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

Maximum amount for Mandatory Disabled Facilities Grant

- 8.28 **The maximum amount of grant that can be awarded on a single grant is £30,000 (The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008).**
- 8.29 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Disabled Facilities Grants may be made for these additional needs.
- 8.30 Where the cost of the OT recommended works exceeds £30,000 and the mandatory Disabled Facilities Grant (DFG) grant fails to cover the full extent of the work, the applicant may apply for a discretionary disabled facilities grant subject to funding being available or seek alternative funding for the costs above the maximum amount.

Where the OT does not recommend the provision of an extension, but the applicant requests one and wishes to pursue their own alternative works scheme, we will allow an application for an amount of funding equivalent to the OT recommended works towards the construction of the applicants own extension and adaptation works. All works must be in accordance with planning and building control requirements and the design must be approved by the council's OT as fully meeting the clients' needs.

8.31 Where assistance is provided for relocation purposes, the maximum grant amounts are as follows:

- up to a fixed maximum level of £10,000 for owner-occupiers, irrespective of the size and/or location of the properties being sold and purchased
- In the case of private tenants moving to another rented property, the fixed maximum level is £5000
- In the case of private tenants moving to and purchasing another property, up to a maximum of £10,000.

Conditions attached to Disabled Facilities Grant

8.32 A summary of the conditions applicable to Mandatory Disabled Facilities Grant is given as Appendix B.

8.33 The disabled facilities grants will have a repayment condition if the property is disposed of (whether by sale, assignment, transfer or otherwise) within 10 years of the certified date. This will be recorded as a local land charge. There will not be any interest charged on this principle sum. For full details see Appendix B.

8.34 The following additional conditions are specific to assistance given for relocation purposes:

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

9.0 DISCRETIONARY DISABLED FACILITIES GRANT

Purpose

9.1 This grant is intended to help people with disabilities to live more independently in their home where:

- an applicant fails the means test for a Mandatory DFG or has a contribution to pay, but is in financial hardship and unable to provide the council's Occupational Therapist recommended adaptations or
- an applicant is eligible for Mandatory DFG but where the cost of works assessed by the council's Occupational Therapist exceeds the mandatory DFG limit and as a result, the adaptation cannot be provided.

It includes essential adaptations to enable a person with a disability to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.

9.2 Where it is not reasonable and practical to carry out the works to the person's existing home, this grant is available to assist them to sell their home and purchase another property that more closely meets their needs. It is also available to assist private tenants with a disabled person in their household to move to another rented property or to move into a property that they are purchasing that more closely meets their needs. Assistance with the costs of moving is only available where the existing property is either unsuitable for the adaptation required or where the cost of adapting the property is prohibitive.

Eligible persons

9.3 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.

9.4 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.

9.5 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities grant application would be considered from the tenant.

9.6 An applicant who is receiving support from another local authority is entitled to apply for a discretionary Disabled Facilities Grant if they are resident in the borough.

- 9.7 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable. A registered charge would not be applicable in these cases.
- 9.8 The applicant does not have to be the person with the disability.

Works covered under Discretionary Disabled Facilities Grant

- 9.9 A discretionary disabled facilities grant is awarded for works that are the most economical means of meeting the disabled person's needs.
- 9.10 The council shall not approve an application for a discretionary DFG unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.
- 9.11 In considering the matters in 9.10 the council shall consult the Adult Social Services department. This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.
- 9.12 **Access to and from the dwelling or building, e.g.**
- hard standing for pavement vehicles, so far as it provides access to the dwelling;
 - fixed ramps to doorways;
 - mechanical step lifts, including a 5 year warranty;
 - alteration of double-glazed porches where wheelchair access is difficult;
 - garden rails for access;
 - outside lighting where required for access facility;
 - "up and over" automatic garage doors;
 - automatic door openers.

- 9.13 **Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.**
- fixed ramp access to rear garden within the curtilage of the dwelling
 - mechanical step lifts, including a 5 year warranty
- 9.14 **Facilitating access to a room used or usable as the principal family room.**
- 9.15 **Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.**
- lift access to existing bedrooms, including a 5 year warranty;
 - garage conversion when made into shower room and bedroom;
 - building an extension onto a property where there is only one principal family room that cannot be divided.
- 9.16 **Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.**
- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);
 - modified kitchens, if to be used by disabled occupants;
 - extractor fan where window opening not possible by disabled occupant;
 - automatic wash and dry toilets;
 - complete bathrooms, where existing facilities are inaccessible or unsuitable;
 - garage conversion when made into shower room and bedroom.
- 9.17 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 9.18 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 9.19 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**

9.20 Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.

- provision of specialised lighting;
- toughened or shatterproof glass;
- installation of guards around certain facilities such as fires and radiators;
- reinforcement of walls, floors and ceilings in exceptional cases;
- cladding of exposed surfaces and corners to prevent self-injury;
- pad a room with an observation window in the door, for a self-injurious dependent.

9.21 Assistance with the costs of relocating to a more suitable property.

Assistance can be provided towards the general costs of selling one property and buying an alternative property or in the case of private tenants, to move to another rented property or to purchase and move to another property.

For example:

- Surveyors and solicitors fees (and disbursements) for the sale & purchase of the properties
- The costs of packing, moving and relocating furniture and belongings into the new property
- Mortgage administration costs and Estate Agent fees
- Rental deposit.
- This cannot be used to cover the payment of stamp duty.

9.22 Other Eligible works, e.g.

- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
- window openers;
- facilitating wheelchair access internally;
- providing separate sleeping accommodation for a dependent who requires attention at night.
- A range of aids and adaptations assessed by an OT or OT assistant to

make changes which support a client living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

- Help with payment of an assessed contribution following a means test for mandatory DFG.

9.23 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that a second reception (living or dining) room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended the Occupational Therapist except in exceptional circumstances. Such cases will be decided by a panel as detailed in 9.30 below.
- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

Means test for Discretionary Disabled Facilities Grants

Test of resources for owner occupiers and tenants where cost of works on a mandatory DFG exceeds the maximum grant amount.

- 9.24 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2009 and any subsequent amendments. It is based on the regulations governing entitlement to universal credit and housing benefit. The income and capital of each relevant person (the disabled occupant and their spouse or partner) is taken into account in the assessment of financial resources.
- 9.25 Where all relevant persons are in receipt of universal credit, income support, income-based job seekers allowance/employment support allowance, housing benefit, child tax credit, working tax credit (where income is below £15,050) or guaranteed pension credit, 100% grant is awarded up to the maximum limit.
- 9.26 In the case of families with a disabled child or young person there is no means test and 100% grant is awarded up to the maximum limit.

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- 9.27 Relevant persons who are self-employed will need to submit their most recent audited accounts for a period of at least one year prior to the date of the full application for grant. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

Test of resources for owner occupiers and tenants who have not been successful in obtaining a mandatory DFG.

- 9.28 Applicants are required to have applied for a mandatory DFG before making an application for a Discretionary DFG.
- 9.29 The test of resources for Discretionary DFG will be based on a panel decision.

In deciding whether or not a discretionary DFG will be granted the panel may take into account the following considerations:

- If an applicant/household fails the mandatory DFG means test or has a contribution to pay but is in financial hardship - In cases where there is particular difficulty paying an assessed contribution, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the council.
- If the lack of an adaptation is causing severe mental or physical strain on the family or carers.
- If a family/care situation may or may not be sustainable in the long term without the provision of an adaptation.
- Whether there are exceptional circumstances surrounding the risk to independence and wellbeing of the disabled person.

This assistance will be offered on a case by case basis at the discretion of the council.

Maximum amount for Discretionary Disabled Facilities Grant

- 9.30 **The maximum amount of grant that can normally be awarded on a single grant is:**
- £30,000 where the Discretionary DFG is a top up to a Mandatory DFG this could result in maximum grant funding of £60k.
 - £30,000 where the Discretionary DFG is the only grant applicable
 - Where the requested approval limit exceeds the above figures, the approval of a Director is required. In such cases the Private Sector Adaptations Panel will consider the application and a business case and make a recommendation to the Director of Housing Assessments and Solutions. The Director will then consider the business case and recommendation and make the decision.

The Private Sector Adaptations Panel:

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptations Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed in 9.30 above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

9.31 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Disabled Facilities Grant may be made for these additional needs.

9.32 Where the OT does not recommend the provision of an extension, but the applicant requests one and wishes to pursue their own alternative works scheme, we will allow an application for an amount of funding equivalent to the OT recommended works towards the construction of the applicant's own extension and adaptation works. All works must be in accordance with planning and building control requirements and the design must be approved by the council's OT as fully meeting the clients' needs.

9.33 Where assistance is provided for re-location purposes, the maximum grant amounts are as follows:

- up to a fixed maximum level of £10,000 for owner-occupiers, irrespective of the size and/or location of the properties being sold and purchased
- In the case of private tenants moving to another rented property, the fixed maximum level is £5000
- In the case of private tenants moving to and purchasing another property, up to a maximum of £10,000.

Conditions attached to Discretionary Disabled Facilities Grant

9.34 A summary of the conditions applicable to Discretionary Disabled Facilities Grant is given as Appendix C.

9.35 On completion of the grant a local land charge will be registered against the property. If the property is disposed of (whether by sale, assignment, transfer or otherwise) within 10 years of the certified date a repayment may be due to the council. For full details see Appendix C.

9.36 The following additional conditions are specific to assistance given for relocation purposes:

- Before assistance is approved for re-location purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

10.0 SIMPLE ADAPTATIONS GRANT (DISCRETIONARY) (PILOT SCHEME)**Purpose**

10.1 This grant is intended to help people with disabilities to live more independently in their home where:

- The OT recommends only one simple adaptation, for example a ramp or stair lift
- Where the cost of the adaptation (including any applicable fees) is at or under £5000

It includes essential adaptations to enable a person with a disability to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.

Please note this pilot scheme will be reviewed after 6 months.

Eligible persons

- 10.2 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.
- 10.3 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.
- 10.4 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities grant application would be considered from the tenant.
- 10.5 An applicant who is receiving support from another local authority is entitled to apply for a discretionary simple adaptations grant if they are resident in the borough.
- 10.6 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable.
- 10.7 The applicant does not have to be the person with the disability.

Works covered under Discretionary Simple Adaptations Grant

- 10.8 A discretionary simple adaptations grant is awarded for works that are the most economical means of meeting the disabled person's needs.
- 10.9 The council shall not approve an application for a simple adaptations grant unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the

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age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.

10.10 In considering the matters in 10.9 the council shall consult the Adult Social Services department This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.

10.11 Access to and from the dwelling or building, e.g.

- fixed ramps to doorways;
- alteration of double-glazed porches where wheelchair access is difficult;
- garden rails for access;
- outside lighting where required for access facility;
- "up and over" automatic garage doors;
- automatic door openers.

10.12 Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.

- fixed ramp access to rear garden within the curtilage of the dwelling

10.13 Facilitating access to a room used or usable as the principal family room, e.g.

- Single door widening

10.14 Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.

- lift access to existing bedrooms, including a 5 year warranty;

10.15 Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.

- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);

- modified kitchens, if to be used by disabled occupants;
 - extractor fan where window opening not possible by disabled occupant;
 - automatic wash and dry toilets;
- 10.16 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 10.17 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 10.18 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**
- 10.19 **Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.**
- provision of specialised lighting;
 - toughened or shatterproof glass;
 - installation of guards around certain facilities such as fires and radiators;
 - reinforcement of walls, floors and ceilings in exceptional cases;
 - cladding of exposed surfaces and corners to prevent self-injury;
 - pad a room with an observation window in the door, for a self-injurious dependent.
- 10.20 **Other Eligible works, e.g.**
- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
 - window openers;
 - facilitating wheelchair access internally;
 - A range of aids and adaptations assessed by an OT or OT assistant to make changes which support a client living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

10.21 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that a second reception (living or dining) room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended the Occupational Therapist except in exceptional circumstances. In such cases the Private Sector Adaptations Panel will consider the matter and make a recommendation to the Director of Housing Assessments and Solutions. .

The Private Sector Adaptations Panel:

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptations Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

Means test for Discretionary Simple Adaptations Grant

- 10.22 There is no means test for this grant where the cost of works (including any applicable fees) is at or under £5000 and 100% grant is awarded up to the maximum limit.
- 10.23 This assistance will be offered on a case by case basis at the discretion of the council.

Maximum amount for Discretionary Simple Adaptations Grant

- 10.24 **The maximum amount of grant that can be awarded on a single grant is:**

- £5,000

- 10.25 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Mandatory and/or Discretionary Disabled Facilities Grant may be made for these additional needs as appropriate.

Conditions attached to Discretionary Simple Adaptations Grant

- 10.26 A summary of the conditions applicable to Discretionary Simple Adaptations Grant is given as Appendix C

11.0 HOME REPAIR LOAN

Purpose

- 11.1 This assistance is designed to provide help with small-scale works of repair, improvement and adaptation for clients who are 60 years of age or over, or disabled persons of any age.

Eligibility

- 11.2 To be able to apply for this assistance a person must meet the following criteria:
- be 60 years of age or over, or a disabled person of any age.
 - be an owner-occupier or have lived in the dwelling under a right of exclusive occupation for a period of more than 5 years, or for life. (The freeholder/leaseholder's written consent to the works being carried and to the registering of a charge against their interest in the property will be required.)

- have a duty or a power to carry out the works.
- live in the dwelling as their only or main residence.
- Priority will be given to applicants who have not previously received Home Repair Loan assistance.

11.3 For the purposes of this loan, a person is disabled if:

- In receipt of Disability Living Allowance; or
- Personal Independence Payment
- Attendance Allowance; or
- Registered disabled in pursuance of arrangements under section 29(1) of the National Assistance Act 1948 (handicapped person's welfare); or
- Is a person for whose welfare arrangements have been made under that provision, or in the opinion of the welfare authority, might be made under it.

11.4 Applications for Home Repair Loan will not be accepted where there are resident working joint owners i.e. where, in addition to the applicant, other person(s) under the age of 60 live in and have an interest in the property and are working/earning.

Works covered under Home Repair Loan

Repairs/Removal of Hazards

11.5 This includes minor works to the basic fabric of the dwelling and its curtilage to enable an older, disabled or infirm person to remain in their home in safety.

11.6 Works covered include:

- roof repairs and repair or renewal of gutters and down-pipes
- repairs to doors
- replacement of one door or window where it is uneconomical to repair
- Repairs to wooden windows are excluded unless the property is a Listed Building or in a Conservation Area and the existing windows must be retained.

- electrical repairs (not rewiring), including providing mains operated battery back up smoke alarms
- 10 year life battery smoke alarms (in conjunction with other works only) where no electrical works are required
- re-plastering works
- minor external repairs to pointing/render to prevent the ingress of water
- internal decoration following DPC works only
- isolated/minor works of timber treatment
- external decoration to weatherproof the property
- minor plumbing repairs (not solely the replacement of washers)
- works to remedy severe condensation problems
- re-glazing - to remove a serious hazard
- works to repair or renew garden walls (not fences) - to remove a serious hazard
- repairs to garden paths/paving – to remove a serious trip hazard

11.7 The following works are not covered by the "repairs" category of Home Repair Loan:

- works to repair or renew garden fences;
- repairs to below ground drainage.

Replacement of Lead Pipes

11.8 The replacement of lead pipes to water supplies inside the property when water authority confirms this is necessary.

Adaptation

11.9 Assistance is available for minor adaptations to:

- help a disabled or infirm person to look after themselves, or
- to enable an older (aged 60 or over), disabled or infirm person to be cared for by a relative. An application for works to enable a person to be cared for by someone as part of a business will not normally be considered e.g.

in return for payment. The most likely circumstances for this form of assistance will be where a person is moving into a dwelling, which is otherwise sound, but some alterations are needed to enable the person to be accommodated comfortably.

11.10 The works covered under this category include:

- ramps for access;
- handrails, grab rails and stair rails;
- an additional W.C, wash hand basin, or bath/shower unit;
- additional cooking or heating facilities.
- Leasing of a stair lift (maximum period of 12 months in cases of terminal illness only)

Works to Council owned purpose-built blocks (not common parts)

11.11 Leaseholders of flats in council owned purpose-built blocks can apply for up to a maximum of £3000 towards the cost of works that are their sole responsibility such as replacement windows.

Means test for Home Repair Loan

11.12 To qualify for assistance an applicant must be in receipt of one of the following income-related benefits:

- universal credit
- income support;
- working tax credit and income of less than £15,050 per annum;
- child tax credit and income of less than £15,050 per annum;
- housing benefit;
- income-based job seekers allowance/employment support allowance
- guaranteed pension credit, **or**
- have less than £6,000 in savings

11.13 If a person has previously applied for a discretionary home improvement loan and has been assessed as having a contribution to pay, they cannot then apply for Home Repair Loan assistance for the same works as a means of avoiding paying the contribution.

Maximum amount for Home Repair Loan

11.14 Only **one** application for Home Repair Loan, **up to £4000**, is allowed.

Conditions attached to Home Repair Loans

11.15 A summary of the conditions applicable to all home repair loans is given as Appendix A.

12.0 **ENERGY LOAN**

Purpose

- 12.1 This assistance is designed to improve the energy efficiency of dwellings and assist vulnerable clients who may be in fuel poverty.

Eligibility

- 12.2 Before applying for a Croydon energy loan, all applicants are required to contact Croydon Healthy Homes to see if they are eligible for external grant assistance.

Croydon Healthy Homes (CHH) is a completely free service open to residents who own their home or rent it from a private sector landlord and are responsible for paying the utility bills. The aim of this service is to prevent residents getting into fuel poverty and to support residents already in fuel poverty. CHH supports households of all ages, and are particularly keen on targeting young families, as well as older residents, and those with chronic medical conditions, and their eligibility criteria is quite broad. There are more details on their website www.croydon.gov.uk/healthyhomes. CHH can also be contacted on Freephone 0800 292 2529.

CHH can fund qualified Energy Assessors to visit residents in their homes and to make applications for ECO Affordable Warmth Grant or the Mayor of London's Warmer Homes scheme, which currently offers grants of up to £4000.

- 12.3 If not eligible through CHH, to be able to apply for this assistance a person must meet the following criteria:

- be over 18 years of age **and**
- be an owner-occupier, **and**
- live in the dwelling as their only residence **and**
- be in receipt of an income-related benefit; (this does not apply where the applicant is at least 60 years of age, or disabled, or infirm
-

- 12.4 For the purposes of this grant, a person is disabled if:

- In receipt of Disability Living Allowance; or
- Personal Independence Payment
- Attendance Allowance; or
- Registered disabled in pursuance of arrangements under section 29(1) of

the National Assistance Act 1948 (handicapped person's welfare); or

- Is a person for whose welfare arrangements have been made under that provision, or in the opinion of the welfare authority, might be made under it.

12.5 Applications for energy loan will not be accepted where there are resident working joint owners i.e. where, in addition to the applicant, other person(s) under the age of 60 live in and have an interest in the property and are working/earning.

Works covered under Energy loan

12.6 The following energy efficiency measures are eligible for the Energy Loan:

12.7 Thermal insulation:

- loft insulation up to the current standard as required by Building Regulations (where none or less than 150mm exists)
- draught proofing where 50% or less of the windows and external doors are draught proofed,
- cavity wall insulation where none exists.

12.8 Heating/hot water:

- provision of a new gas central heating and hot water system including an energy efficient boiler and radiators where no central heating system or storage heaters currently exists (this will depend on the size and occupancy of the property);
- an energy efficient replacement boiler (where boiler is more than 15 years old or not working or condemned). In the case of a private sector landlord application, we will fund replacing an old or inefficient boiler, but not an inoperative boiler (as this is deemed the responsibility of the landlord);
- provision of thermostatic radiator valves where none are present;
- upgrading central heating controls where the system does not have a programmer or timer, or a room thermostat or separate hot water system control;
- where there is no existing gas supply, electric economy 7 storage heaters or similar may be provided if they are deemed more appropriate than the installation of a new gas supply;
- extended 3 year heating system warranty and service contract on new installations

12.9 Additional measures (only in conjunction with other thermal insulation/heating/hot water works):

- re-wiring, including the bonding of pipework, when wiring is not up to current
- replacement double glazed windows when existing windows are in serious disrepair
- provision of mechanical heat recovery ventilation when a property is suffering from serious condensation
- water saving measures – dual flush water closets, flow restrictor taps and showerheads (only in conjunction with other plumbing works)

12.10 The provision of solar panels to provide hot water to a limited number of properties.

Means test for Energy Loan

12.11 To qualify for assistance an applicant must be in receipt of one of the following income-related benefits:

- universal credit;
- income support;
- working tax credit and income of less than £15,050 per annum;
- child tax credit and income of less than £15,050 per annum;
- housing benefit;
- income-based job seekers allowance/employment support allowance;
- guaranteed pension credit.
- A disability related benefit, either disability living allowance, personal independence payment or attendance allowance

or

- for persons 60 years of age or over, have savings of less than £6000.

Maximum amount for Energy Loan

12.13 Only one application for Energy Loan, up to £6000, is allowed.

Conditions attached to Energy Loan

12.14 A summary of the conditions applicable to energy loans is given as Appendix D.

12.15 In all cases smoke alarms and carbon monoxide detectors with a ten year battery will be provided as part of the energy loan.

12.16 All Energy Loans will be for the lifetime of the occupant(s) while they reside in the property and will have to be repaid whenever the property is disposed of by sale, assignment, transfer or otherwise. No interest will be charged on this principle sum.

13.0 **EMPTY HOMES GRANT**

Purpose

- 13.1 This grant is intended to help owners bring empty properties back into use or to create new dwellings through the conversion of non-residential space (generally former commercial/storage space above shops) and to make them available for letting to tenants nominated by the Council on an affordable rent. On completion of the works the dwellings must achieve the Decent Homes Standard.

Eligible persons and properties

- 13.2 Empty Homes Grant is available to the registered owner (freeholder or long leaseholder with at least 10 years to run at approval) of flats and houses (generally 2 or 3 bedroom properties) in the borough which have been empty for at least 6 months and which require essential repairs and improvements or fail the Decent Homes Standard. Houses in Multiple Occupation, where there is a local need, may also be eligible for a single grant.

Owners will be expected to provide proof of the vacancy.

In addition, the following requirements apply:

- The property must have planning usage as residential or have consent for conversion.
- Priority will be given to the property type that is most in need by the council for homeless families and to those schemes likely to complete in the shortest timeframe.

Additional funding is available to property owners who are willing to adapt their properties for use by persons with a disability – see eligible works and grant amount sections.

- 13.3 The grant is not normally available to owners of commercial property for the conversion of non-residential space. The exception to this is the conversion of storage areas above shops which have been empty for at least 6 months, into a new residential dwelling/flat.
- 13.4 In all properties, minimum acceptable bedroom sizes apply. The main bedroom to be a minimum of 10.5m² and any subsequent bedrooms to be a minimum of 7.5m².

Minimum room sizes (measured in m²)

	Croydon standard	MHCLG Standard	Housing Act 1985
Double bedroom	10.5 m ²	11.5 m ²	10.219 m ²
Single bedroom	7.5 m ²	7.5 m ²	6.503 m ²
Child's bedroom			4.645 m ²

- 13.5 In the case of applications for listed buildings, the property must be either an existing residential building or be suitable for conversion into residential use. Priority will be given to those which are particular eyesores and which have resulted in multiple complaints but this will be balanced with the feasibility of the property being brought back into use.
- 13.6 Applicants will not be discriminated against if they are identified as vulnerable in some manner and unable to complete the application forms and process independently. The policy gives the department discretion to provide support to empty property grant applicants and access services on their behalf as per all other forms of assistance provided under this policy.
- 13.7 The owner of a property subject to an Empty Dwellings Management Order may be eligible for an Empty Homes Grant as long as the owner agrees to the Council extending the management of the property to 5 years.
- 13.8 The owner of a property where a notice of intention to take enforcement action or a formal Improvement Notice have been served under the Housing Acts will not be eligible to apply for an empty homes grant.

Works covered under Empty Homes Grant

- 13.9 Works to put a dwelling or building into reasonable repair and to achieve the Decent Homes Standard are covered. This includes virtually all types of repair, but not furnishing. Where an owner applies for more than one grant in respect of a property that is converted into flats, the repairs to the common parts can be included on the grant of the most appropriate flat. The following are also eligible:
- 13.10 Works to provide additional dwellings by conversion, including the following:
- works required by Building Control,
 - new staircases, sound insulation or dormer windows
 - provision of basic kitchen, bathroom and toilet facilities and supplies of hot and cold water (all new WC's to be dual flush) ,
 - provision of refrigerators and cookers are not covered but the power points to these are,
 - provision of basic kitchen units, cupboards and work-tops,
 - provision of gas, electricity and water services hardware(an energy efficient boiler would be covered, this must be SEDBUK 'A' rated),

13.11 Works to provide adequate thermal insulation including the following:

- provision of loft insulation up to the current standard as required by Building Regulations where none or less than 150mm exists.
- Where cavity walls exist they are to be insulated.
- insulation to water tanks and pipes,

13.12 Works to provide adequate facilities for space heating.

- Provision of gas fires and central heating will be considered.
- Where a gas boiler is the main source of heating and a new boiler is required or is being provided for the first time, this is to be SEDBUK 'A' rated.
- Programmer and thermostatic radiator valves to be fitted (where heating system is pre-existing or a new installation)

13.13 Works to provide satisfactory internal arrangements including provision of separate access to flats above a shop.

13.14 Works to provide adequate means of escape from fire and other fire precautions.

Where the works are to a single dwelling house:

- mains wired smoke detectors are to be provided for each floor level.

Where works are to provide additional dwellings, the eligible works for grant will be those specified by Building Control, which will generally be as follows:

- mains wired heat detectors in every kitchen and mains wired smoke detectors to every flat hallway/entrance and communal landing
- auto air vents to loft or flat conversions, additional fire doors or lobbies off escape routes, may also be required in certain situations
- If the property was converted prior to the Building Regulations 1991 and not subsequently altered in accordance with subsequent Building Regulations, the following standard is applied: if self-contained flats and on 3 or more floors an automatic fire detection system (to BS5839) will be specified with a heat detector in the kitchen and smoke detectors on each landing and hallway.

In all cases the works must comply with current Building Regulations requirements.

13.15 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form or those detailed below which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property. The following are conditions and requirements of receiving an Empty Property Grant

- All permanent light fittings to have low energy bulbs.
- Where windows need replacement, the new windows should be of suitable construction and double glazed
- A water meter (where major renovation works are being carried out) may also be a requirement of the water company
- Dual volume flush WCs (where these are new or being renewed). This is a condition (although, once installed, it is a requirement that the cistern complies with the Water Supply (Water Fittings) Regulations 1999)
- Water butt to be provided where a garden exists. This is a condition that can be waived if the property does not have a garden

13.16 Works to adapt an existing unit or to create a new unit suitable for use by a person with a disability. This can include works recommended by the council's occupational therapist, those in the Lifetime Homes Design Criteria and the Habinteg Wheelchair Housing Design Guide, for example:

- Provision of level or gentle gradient external access ramp(s) to the main entrance and garden
- Provision of level access thresholds in to and within the dwelling and door widening to accommodate wheelchair use
- Provision of a level access shower instead of standard bathroom facilities
- Provision of wheelchair accessible kitchen, bathroom and toilet facilities.
- The adaptations required will vary according to the property design/layout and the property to be adapted will normally be a ground floor/street level unit.

13.17 The following general items will also be required:

- Provision of a carbon monoxide alarm
- Gas safety and electrical certificates to be provided at conclusion of works.

13.18 Because the design and condition of Listed Buildings is diverse there will be some flexibility in the eligible works considered under the grant. The target standard on completion will be the same as for other empty properties except where Listed Building or similar restrictions prohibit this.

Means test for Empty Homes Grant

13.19 There is no means test for landlords. The amount of grant will be calculated as 100% of the eligible cost of works.

Grant amount for Empty Homes Grant

13.20 The maximum amount of grant is:

- £25,000 per unit of accommodation for a minimum 5 year letting to a vulnerable household
- Where adaptation works are included, additional grant funding is available up to a maximum of £5,000 for these works.

The grant amount will be calculated on the basis of the number of units of accommodation that will exist when the works are completed, not on the original number of units.

13.21 Unforeseen works can be grant aided (at 100% of the eligible cost) provided that the total grant does not exceed the maximum amount of grant as set out in 13.20.

13.22 Currently the maximum number of grants that will be approved for a single property owner/developer in any 12 month period is 6. This is irrespective of the number of applications that owner/developer may be entitled to make and irrespective of the number of properties in respect of which applications are made.

Conditions attached to Empty Homes Grant

13.23 A summary of the conditions applicable to Empty Homes Grant is given as Appendix E.

13.24 It is a condition of this grant that all properties, with the exception of those leased via the Council's Croylease scheme, are licenced as required under the Croydon Private Rented Property Licence scheme which came in to force on 1 October 2015 and any extension to or replacement of that scheme, or under the Mandatory Houses in Multiple Occupation Licensing Scheme.

14.0 **EMPTY HOMES LOAN**

Purpose

14.1 This loan is intended to help owners bring empty properties back into use or to create new dwellings through the conversion of non-residential space (above shops) and to make them available for letting to tenants nominated by the Council. On completion of the works the dwellings must achieve the Decent Homes Standard.

14.2 The loans will also be available for a range of Listed Buildings as follows:

- Empty properties which are on the English Heritage Register of Buildings at Risk.
- Empty eyesore properties within Conservation Areas or in Regeneration areas.
- Empty Listed Buildings.

Eligible persons

14.3 Empty Homes Loan is available to owners (freeholder or leaseholder) of flats and houses in the borough which have been empty for at least 6 months and which require essential repairs and improvements. The loan is also available to owners of commercial property for the conversion of non-residential space above shops and listed buildings which have been empty for at least 6 months, such as the storage area above a shop, into a new residential dwelling.

14.4 In the case of applications for listed buildings, the property must be either an existing residential building or be suitable for conversion into residential use. Priority will be given to those which are particular eyesores and which have resulted in multiple complaints but this will be balanced with the feasibility of the property being brought back into use.

Works covered under Empty Homes Loan

14.5 Works to put a dwelling or building into reasonable repair and to achieve the Decent Homes Standard are covered. This includes virtually all types of repair, but not furnishing. Where an owner applies for more than one loan in respect of a property that is converted into flats, the repairs to the common parts can be included on the loan of the most appropriate flat. The following are also eligible:

14.6 Works to provide additional dwellings by conversion, including the following:

- works required by Building Control,
- provision of basic kitchen, bathroom and toilet facilities and supplies of hot and cold water (all new WC's to be dual flush) ,

- provision of refrigerators and cookers are not covered but the power points to these are,
- provision of basic kitchen units, cupboards and work-tops,
- provision of gas, electricity and water services hardware (an energy efficient boiler would be covered, this must be SEDBUK 'A' rated),

14.7 Works to provide adequate thermal insulation including the following:

- provision of loft insulation up to the current standard as required by Building Regulations where none or less than 150mm exists.
- Where cavity walls exist they are to be insulated.
- insulation to water tanks and pipes,

14.8 Works to provide adequate facilities for space heating.

- Provision of gas fires and central heating will be considered.
- Where a gas boiler is the main source of heating and a new boiler is required or is being provided for the first time, this is to be SEDBUK 'A' rated.
- Programmer and thermostatic radiator valves to be fitted (where heating system is pre-existing or a new installation)

14.9 Works to provide satisfactory internal arrangements including provision of separate access to flats above a shop.

14.10 Works to provide adequate means of escape from fire and other fire precautions.

Where the works are to a single dwelling house:

- mains wired smoke detectors are to be provided for each floor level.

Where works are to provide additional dwellings, the eligible works for grant will be those specified by Building Control, which will generally be as follows:

- mains wired heat detectors in every kitchen and mains wired smoke detectors to every flat hallway/entrance and communal landing
- auto air vents to loft or flat conversions, additional fire doors or lobbies off escape routes, may also be required in certain situations
- If the property was converted prior to the Building Regulations 1991 and not subsequently altered in accordance with subsequent Building Regulations, the following standard is applied: if self-contained flats and on 3 or more floors an automatic fire detection system (to BS5839) will be specified with a heat detector in the kitchen and smoke detectors on each landing and hallway.

In all cases the works must comply with current Building Regulations requirements.

14.11 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form or those detailed below which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property. The following are conditions and requirements of receiving a discretionary Empty Homes loan.

- All permanent light fittings to have low energy bulbs.
- Where windows need replacement, the new windows ideally to be of wooden construction and double glazed.
- A water meter (where major renovation works are being carried out)
- Dual volume flush WCs (where these are new or being renewed).
- Water butt to be provided where a garden exists.

14.12 The following general items will also be required:

- Provision of a carbon monoxide alarm
- Gas safety and electrical certificates to be provided at conclusion of works.

14.13 Because the design and condition of Listed Buildings is diverse there will be some flexibility in the eligible works considered under the loan. The target standard on completion will be the same as for other empty properties except where Listed Building or similar restrictions prohibit this.

Means test for Empty Homes Loan

14.14 There is no means test for landlords. The amount of loan will be calculated as 100% of the eligible cost of works. The loan will be limited by the amount of available equity within the property. The assessment and calculations of the available equity will be carried out by the Council.

Loan amount for Empty Homes Loan

14.15 The maximum loan amount is:

- £40,000 per unit of accommodation

14.16 Unforeseen works can be loan aided (at 100% of the eligible cost) provided that the total loan does not exceed the maximum amount of loan as set out in 14.15.

14.17

The loan is available on a 'one per dwelling' basis so multiple loans are possible if more than one dwelling will result. The limiting factor is the available equity in the dwelling as the council's interest is protected by a full legal charge on the dwelling or building (if separate leases are not being created). The loan is repaid within two years and the full legal charge removed.

Conditions attached to Empty Homes Loan

14.18 A summary of the conditions applicable to Empty Homes Loan is given as Appendix F.

15.0 SPECIAL PROJECTS LOAN

Purpose

- 15.1 This loan is available to assist with funding special projects, for example;
- the renovation of residential properties as part of large scale projects on mixed tenure developments
 - the renovation of accommodation above shopping parades
 - the conversion of residential or commercial properties to provide temporary accommodation for council tenants
 - terraced properties in need of external works such as over-cladding
 - situations where responsibility for repairs is complex and or split.

Eligibility

- 15.2 Applicants must be:
- Over 18 years of age
 - A landlord or an owner occupier
 - Have a duty or a power to carry out the works
- 15.3 Applications **cannot** be made where:
- the eligible works are less than £3,000
 - the property was built or converted less than 10 years prior to the date of the application.

Works covered under Special Projects Loan

- 15.4 All works necessary to bring the property up to the decent homes standard as set out below.

Works to remove/reduce category 1 hazards.

- Provision of safety railings/barriers to balconies/walkways on shared areas of buildings.

Works to bring the property up to a reasonable state of repair. This is where:

- one or more of the key building components are old and, because of their condition, need replacing or major repair; or
- two or more of the other building components are old and, because of their condition, need replacing or major repair.

The provision of reasonably modern facilities and services. This includes:

- the replacement of the kitchen if it is over 20 years old; and
- the replacement of the bathroom if it is over 30 years old.

The provision of a reasonable degree of thermal comfort. This includes:

- loft insulation up to the current standard required by Building Regulations (where none or less than 150mm exists).
- cavity wall insulation where the cavity wall has no insulation or solid wall insulation where there is none.
- draughtproofing where 50% or less of the windows and external doors are draughtproofed.
- central heating system where there are only electric fires or a mix of electric and gas fires.
- boiler replacement (using condensing boiler where suitable) where current boiler is over 15 years old.
- upgrading central heating controls where the system does not have a programmer or timer, or a room thermostat or separate hot water system control.
- provision of thermostatic radiator valves where none present.

- 15.5 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property.

Maximum amount for Special Projects Loan

- 15.6 There is no fixed amount for special projects loan.
- 15.7 Applications may be made and will be considered on a case by case basis by The Private Sector Loans Panel. In such cases the Private Sector Loans Panel will consider the application and a business case and make a recommendation to the Director of Housing Assessments and Solutions.

The Private Sector Loans Panel:

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed work, the council

has formed a panel to review complex cases. This panel is known as the Private Sector Loans Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed in 15.7 above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

Conditions applicable to Special Projects Loan

15.8 A summary of the conditions applicable to special projects loan is given as Appendix A.

16.0 AGENCIES AND PROJECTS

Croydon Staying Put - Home Improvement Agency

- 16.1 Croydon has a home improvement agency called Croydon Staying Put.
- 16.2 The agency provides a service to homeowners and private tenants, which is designed to take the stress out of applying for a housing renewal loan or disabled facilities grant and getting repairs, improvements and adaptations carried out. The Agency gives advice on eligibility for grants and loans, helps complete the necessary paperwork, obtain builders and oversee the work.
- 16.3 **A fee based on a percentage of the cost of eligible works is charged (currently 17% plus VAT). However, in most cases this forms part of the grant or loan amount.**
- 16.4 The agency provides a service for homeowners and private tenants of all ages. Where a client is over the age of sixty or infirm or has a disability, a home visit is made to assess what repairs, improvements and/or adaptations are needed. Agency staff will provide help and support to all clients in applying for housing renewal loans or grants to get repairs carried out using reputable builders. Where appropriate, the agency will also apply for alternative funding such as charitable funding to help pay for the work.

Projects

- 16.5 There are a number of services available in Croydon to help homeowners and private tenants get minor repairs carried out and to make their homes safe and warm.

Handy Person

- 16.6 This scheme provides a minor repairs/works service to people over 60 years of age or disabled people at a reduced cost. The scheme is restricted to jobs that can be completed within 1 to 2 hours and is subject to a small charge.

Types of work covered include:

- Minor repairs such as renewing gates or fence panels, easing windows, etc.
- Fixing door bells, gutters, taps, WC seat, tiles, floor boards, curtain rails etc.
- Provide and fix long life battery smoke alarms.

Staying Put Gardening Service

- 16.7 Subject to funding, this scheme provides a subsidized gardening service to people aged 60 years and over or disabled people. The scheme is administered by Croydon Staying Put. Clients currently pay £30 per hour for this service.
- 16.8 This project aims to address targets for reducing crime, ensuring decent homes and improving the living environment. Houses with a run down appearance are targets for burglars and this scheme helps to deter them.

Hospital Discharge Service

- 16.9 The Hospital Discharge Service provides a practical solution to getting older and vulnerable people out of hospital and back into their own homes. The service is run by Croydon Staying Put.
- 16.10 The Hospital Discharge Caseworker works closely with Care Managers and taking referrals from and visiting clients in the wards at Mayday Hospital. They arrange for relatively small, inexpensive tasks to be carried out to the client's home to facilitate an early discharge.

17.0 OTHER SOURCES OF INFORMATION AND ASSISTANCE

Private Sector Housing Landlords Forum

- 17.1 The Private Sector Housing Landlords Forum brings together landlords, the Council and other organisations in order to promote good practice in private renting, to improve housing conditions and increase access to private rented accommodation.

Builders' Lists

- 17.2 The following organisations operate schemes to help the public find their own building contractors:
- **TrustMark** - is the Government Endorsed Quality Scheme covering work a consumer chooses to have carried out in or around their home. Trustmark operates under licence from the Department for Business, Energy and Industrial Strategy at www.trustmark.org.uk (or telephone on 0333 555 1234).
 - **Find a builder** – run by the Federation of Master Builders at www.findabuilder.co.uk (Telephone number: 0330 333 7777).
 - **Find a builder** – run by the National Federation of Builders at www.builders.org.uk/find-a-builder/ (Telephone number: 03450 578 160).

Partnerships

Fire Service Partnership

- 17.3 The Council and the London Fire Brigade have an inter-agency partnership agreement to improve fire precautions and raise fire awareness in the private housing sector.
- 17.4 A Home Fire Safety Check is a service being offered to residents by the London Fire Brigade. It involves a fire safety audit and the provision of smoke alarms. This service can be requested by calling 08000 284 428, by emailing them on smokealarms@london-fire.gov.uk or via their website at www.london-fire.gov.uk/HomeFireSafetyVisit.asp

18.0 COMPLAINTS

- 18.1 Final interpretation of the detail in this policy is at the discretion of the Director of Housing Assessment and Solutions.
- 18.2 Complaints about the policy and its implementation will be dealt with under the Council's Corporate Complaints Process.

19.0 OPERATIVE DATE & IMPLEMENTATION PLAN

- 19.1 This Policy supersedes the Policy dated 1st February 2014 and will come into force on the 27th July 2021.
- 19.2 The Policy will be reviewed after 5 years from the commencement date unless there are circumstances that necessitate an earlier review.
- 19.3 Circumstances that might necessitate an earlier review include:
- Budgetary changes to the Council's Capital Programme for Housing Renewal.
 - Legislative changes.
 - Review and outcome of Pilot scheme
- 19.4 Legislative changes to Mandatory Disabled Facilities Grant, (including to the maximum grant limit or means test) will not necessitate a review of the policy.
- 19.5 All discretionary assistance is provided subject to funding being available.
- 19.6 Minor amendments to the policy may be carried out without a formal review subject to legal advice being obtained in advance and agreed by the Executive Director of Housing who has delegated authority.
- 19.7 The pilot scheme for Discretionary Simple Adaptations Grant will be reviewed six months after introduction of this Policy. The outcome of the review will be reported back to Members to consider whether or not it is appropriate to make the pilot permanent under this policy.

20.0 TRANSITIONAL ARRANGEMENTS

- 20.1 Any applications which have been approved by [insert date] 2021 will be honoured under the terms and conditions of the previous policy and will run for a period of one year from the date of approval. No extensions of time will be agreed.

LOAN CONDITIONS**Conditions Applicable to All Loans**

These conditions are applicable to the following loans, for the lifetime of the loan until relevant disposal of the property. :

- Home Investment Loan
- Home Repair Loan
- Special Projects Loan

They will apply from the date of approval of the loan and will be registered as a local land charge/land registry charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

Disposal of the dwelling:

If an owner makes a relevant disposal (whether by sale, assignment, transfer or otherwise) of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Council on demand the amount of loan that has been paid.

An owner is required to notify the Council forthwith in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.

NOTES

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of loan may be made at any time in full by the owner for the time being, or by a mortgagee entitled to exercise a power of sale whereupon all loan conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

DEFINITIONS

1. 'Date of Approval' means the date on which the application for loan is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
 - (a) sale of the freehold or an assignment of the lease or
 - (b) the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
 - (c) any other form of sale, assignment, transfer or disposal.

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Smoke alarms:

It is a condition of this loan that, where works of electrical rewiring are carried out, mains operated, battery back-up smoke alarms are provided. In all other cases, smoke alarms with a 10 year life battery must be fitted, where no pre-existing alarms exist.

Insurance and compensation claims:

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for loan assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the loan, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

Carrying out and completion of works:

In approving an application for a loan the Council will require as a condition of payment of the loan that the eligible works are carried out in accordance with such specifications as the council determine.

The eligible works must be carried out within 6 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

Applicant ceases to be entitled to the loan:

Where an application for a loan is approved, but it subsequently appears to the Council that the applicant was not entitled to that loan the Council will not pay the loan or any further installments, where one or more have been paid.

The Council will demand repayment of the loan plus interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or

If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of a loan is no longer the most appropriate course of action.

Certificate of Future Occupation

Owner's application - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family will live in the property as their, or that family member's only or main residence.

Non Owner's application – in the case where someone has an exclusive right to remain the property, and are responsible for the maintenance of the property. The Owner of the property must sign an owner-occupation certificate which certifies that they have a qualifying owner's interest in the property.

To keep the property free of category 1 hazards, in a good state of repair and up to the Decent Homes Standard:

The recipient must ensure that the property is kept free of category 1 hazards, in a good state of repair and meets the Decent Homes Standard following satisfactory completion of works.

Death of applicant:

Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may pay loan assistance in respect of some or all of those matters and a charge will be registered accordingly.

Where the applicant dies after the relevant works have begun and before the certified date of completion, the council may pay loan assistance in respect of some or all of the works already carried out and other relevant works covered by the application.

Any reference to the applicant shall be construed in relation to any time after their death as a reference to their personal representatives.

GRANT CONDITIONS – MANDATORY DISABLED FACILITIES GRANT

These conditions will apply from the date of approval of the grant until the end of a period of 10 years commencing with the certified date.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

In relation to a Disabled Facilities Grant, the Council has powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work. The Local Land Charge therefore protects the repayment of the grant to the Council and the existence of this financial charge will be notified to potential purchasers of the property who carry out a local authority search if the property is being sold.

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £10,000, or more, the Council may place a legal charge on the property through the Land Registry, which will last for ten years. If the property is sold or otherwise changes ownership within ten years of the completion date, the Council may require repayment of the grant, although each case will be judged on its own merits. The owners title to the property will show the registration of the charge in favour of the Council which any buyer will require to be discharged prior to or on completion of the sale of the property.

Where a grant is paid by the Council is in excess of £30,000 then a legal charge may be placed on the property for the additional amount for a period of ten years.

Disposal of the dwelling:

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (a) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered
 - (i) the extent to which the recipient of the grant would suffer financial hardship were he/she required to repay all or any of the grant;
 - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his/her employment;
 - (iii) whether the disposal is made for reason connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
 - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

NOTES:

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

DEFINITIONS

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
 - i. sale of the freehold or an assignment of the lease or
 - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
 - iii. any other form of sale, assignment, transfer or disposal.

Change of circumstances affecting disabled occupant:

If a grant has been approved but, before the certified date of completion:

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the property or it ceases to be the intention that they should occupy it, or
- (c) the disabled occupant dies,

the Council may decide:

- (a) not to pay the grant or not to pay any further instalments, or
- (b) that part or all of the works should be completed and paid, or
- (c) the application should be re-determined.

The Council may demand repayment of any instalment plus interest from the date it was paid until repayment.

Insurance and compensation claims:

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council may demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

Carrying out and completion of works:

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

Repayment where applicant not entitled to grant:

Where an application for a grant is approved, but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

Applicant ceases to be entitled before payment of the grant

The grant will not be paid, or if applicable no further instalments will be paid and the Council will demand repayment of any instalments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

Certificate of Future Occupation

Owner's application - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 10 years.

Landlord's application - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 10 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 10 year period.

Tenant's application

(a) The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 10 years.

(b) This certificate must be accompanied by a certificate of intended letting from the landlord.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 5 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

Additional conditions specific to grant assistance given for relocation purposes:

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

GRANT CONDITIONS – DISCRETIONARY DISABLED FACILITIES GRANT AND SIMPLE ADAPTATIONS GRANT

These conditions will apply from the date of approval of the grant until the end of a period of 10 years commencing with the certified date.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

In relation to a Disabled Facilities Grant, the Council has powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work. The Local Land Charge therefore protects the repayment of the grant to the Council and the existence of this financial charge will be notified to potential purchasers of the property who carry out a local authority search if the property is being sold.

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £10,000, or more, the Council may place a legal charge on the property through the Land Registry, which will last for ten years. If the property is sold or otherwise changes ownership within ten years of the completion date, the Council may require repayment of the grant, although each case will be judged on its own merits. The owners title to the property will show the registration of the charge in favour of the Council which any buyer will require to be discharged prior to or on completion of the sale of the property.

Where a grant is paid by the Council is in excess of £30,000 then a legal charge may be placed on the property for the additional amount for a period of ten years.

Disposal of the dwelling:**Grant funded contribution:**

Where an assessed client's contribution will be funded by the grant the council will demand the repayment of this amount when the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date;

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (a) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered
 - (i) the extent to which the recipient of the grant would suffer financial hardship if they were required to repay all or any of the grant;
 - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
 - (iii) whether the disposal is made for reason connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and
 - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

NOTES:

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

DEFINITIONS

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
 - iii. sale of the freehold or an assignment of the lease or
 - iv. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
 - iii. any other form of sale, assignment, transfer or disposal.

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Change of circumstances affecting disabled occupant:

If a grant has been approved but, before the certified date of completion:

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the property or it ceases to be the intention that they should occupy it, or
- (c) the disabled occupant dies,

the Council may decide:

- (a) not to pay the grant or not to pay any further instalments, or
- (b) that part or all of the works should be completed and paid, or
- (c) the application should be re-determined.

The Council may demand repayment of any instalment plus interest from the date it was paid until repayment.

Insurance and compensation claims:

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council may demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

Carrying out and completion of works:

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

Repayment where applicant not entitled to grant:

Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

Applicant ceases to be entitled before payment of the grant

The grant will not be paid, or if applicable no further instalments will be paid and the Council will demand repayment of any instalments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

Certificate of Future Occupation

Owner's application - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 10 years.

Landlord's application - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 10 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 10 year period.

Tenant's application

(a) The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 10 years.

(b) This certificate must be accompanied by a certificate of intended letting from the landlord.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

Additional conditions specific to grant assistance given for relocation purposes:

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

LOAN CONDITIONS – ENERGY LOAN

These conditions will apply from the date of approval of the loan for the lifetime of the applicant (s) as long as they live at the property where the works were undertaken. The loan is repayable whenever the property is sold, assigned, transferred or disposed of in any other way.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

Disposal of the dwelling:

It is a condition of the loan that:-

- (1) If an owner makes a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Local Housing Authority on demand the amount of loan that has been paid.
- (2) The applicant shall forthwith notify the Local Housing Authority in writing of his intention to make a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling and shall furnish to the Authority any information reasonably requested by them in connection with such a notification.

NOTES

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply
2. Repayment will not be required immediately where a property is owned in the sole name of one of a married couple and the named owner dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of loan may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all loan conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

DEFINITIONS

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for loan is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
 - (i) sale of the freehold or an assignment of the lease or
 - (ii) the loan of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
 - (iii) any other form of sale, assignment, transfer or disposal.

Insurance and compensation claims:

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for loan assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the loan, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

Carrying out and completion of works:

In approving an application for a loan the Council will require as a condition of payment of the loan that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

Payment to contractors:**Repayment where applicant not entitled to loan:**

Where an application for a loan is approved but it subsequently appears to the Council that the applicant was not entitled to that loan the Council will not pay the loan or any further installments.

The Council will demand repayment of the loan plus interest from the date it was paid until repayment.

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Applicant ceases to be entitled before payment of the loan

The loan will not be paid, or if applicable no further installments will be paid and the Council will demand repayment of any installments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of loan is no longer the most appropriate course of action.

Certificate of Future Occupation

Owner's application - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Loans this must be the disabled person) will live in the property as their, or that family member's only or main residence.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the loan together with interest from 'the certified date'.

GRANT CONDITIONS – EMPTY PROPERTY GRANT

These conditions will apply from the date of approval of the grant until the end of a period of 5 years commencing with the certified date.

The grant will be registered as a local land charge.

These Conditions are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

Disposal of the dwelling:

It is a condition of the grant that:-

- (1) If an owner makes a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Local Housing Authority on demand the amount of grant that has been paid.
- (2) The applicant shall forthwith notify the Local Housing Authority in writing of his intention to make a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling and shall furnish to the Authority any information reasonably requested by them in connection with such a notification.

NOTES

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

DEFINITIONS

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
 - (i) sale of the freehold or an assignment of the lease or
 - (ii) the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
 - (iii) any other form of sale, assignment, transfer or disposal.

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Nomination rights and property management:

The Council may secure nomination rights for the property for 5 years and the landlord will be required to sign a formal nominations agreement to this effect.

The property must also be managed by either Croydon Council or an alternative Registered Provider. This may be a registered housing association in the form of a lease.

Insurance and compensation claims:

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

Carrying out and completion of works:

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be commenced within 3 months from the date of approval of the application and completed within 6 months of the date of approval. The Council in extenuating circumstances may extend these periods.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

Repayment where applicant not entitled to grant:

Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

Applicant ceases to be entitled before payment of the grant

The grant will not be paid, or if applicable no further installments will be paid and the Council will demand repayment of any installments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

Certificate of Future Occupation

Landlord's application - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 5 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 5 year period.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

Licensing of Privately Rented Properties

It is a condition of this grant that all properties, with the exception of those leased via the Council's Croylease scheme, are licensed as required under one of the following schemes, unless they fall within the exemptions:

- The Croydon Private Rented Property Licence scheme which came in to force on 1 October 2015 and any extension to or replacement of that scheme,
- The Mandatory Houses in Multiple Occupation Licensing scheme.

Mortgagee repossessions:

Where a mortgagee exercises their right to sell the property, we will seek to recover the full grant amount provided that there is sufficient equity.

To keep the property free of category 1 hazards, in a good state of repair and up to the Decent Homes Standard for 5 years:

Where an applicant has a duty or power to carry out works of repair to a grant-aided property, they must ensure that the property is kept free of category 1 hazards, in a good state of repair and meets the Decent Homes Standard for the full 5 years following satisfactory completion of works.

Requirement for Energy Efficiency Survey:

All applications must be accompanied by an Energy Efficiency Survey of the property to which the grant relates.

Death of applicant:

Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may pay grant in respect of some or all of those matters.

Where the applicant dies after the relevant works have begun and before the certified date of completion, the council may pay grant in respect of some or all of the works already carried out and other relevant works covered by the application.

Any reference to the applicant shall be construed in relation to any time after their death as a reference to their personal representatives.

LOAN CONDITIONS - EMPTY HOMES LOAN

The loan is for a term of 2 years, starting at the point of the first payment from the Council to the owner. At the end of the 2 year period the loan is repayable in full.

The loan will be paid in stage payments, 25% on completion of the registration of the loan, up to 50% based on the value of works carried out and the remaining 25% on satisfactory completion of the works.

Full details of repayment schedules and penalty clauses will be sent out with any loan offer based on the exact amount of money to be borrowed and illustrated with the current Bank of England base rate. These details will be included in the Legal Charge Notice the owner will be required to sign.

Should any of the loan conditions be breached the Council will pursue full repayment of the loan in line with the terms of the Legal Charge Notice. This states that the date of any breach is considered the repayment date and interest will be charged at 4% above base from that date.

The Council will require as a condition of such approval that the eligible works [see below] are carried out in accordance with the approved specification.

“Eligible Works” are the essential renovations to the property as described in the “approved specification”. These works will be defined by Croydon Council following an inspection of the property prior to any refurbishment work. This definition will be supplied to you in the form of a written schedule with your loan offer letter.

It is a condition of the loan that the eligible works are commenced and completed within **twelve months** from the date of approval of the application. This period may, however, be extended by the Council where it is satisfied that the eligible works cannot be, or could not have been carried out without carrying out other works which could not have been reasonably foreseen when the application was made. Extensions to the time period may also be granted for other reasons upon consideration of written submissions in the Council’s absolute discretion.

The loan will be secured by way of a charge registered with HM Land Registry, and unless otherwise agreed in writing the Council will require a first or second charge over the property.

It is a condition of loan that the property is adequately insured against fire, lightning, explosion, earthquake, storm, flood, escape of water or oil, riot, malicious damage, landslip, heave, collision, accidental breakage of glass and sanitary ware, and accidental damage to underground services and public liability. Owners will be required to provide a copy of their insurance certificate on demand from the Council during the loan period.

It is a condition of loan that the dwelling will be occupied within three months of the date of completion of the works.

It is a condition of the loan that an owner is required to notify the Council forthwith in writing of his intentions to dispose of the property or to re-mortgage the property and to give the Council any information reasonably requested by them in that connection.

All remedial works and extensions to the Electrical Installations shall comply with the current edition of the IEE Wiring Regulations. Prior to a completion certificate being issued, the Council must be satisfied that Part P has been complied with, this will require an appropriate British standard Installation Certificate to be issued by the competent person.

All gas installations must be carried out by installers who are registered with the Gas Safe Register and be in accordance with the current Gas Safety (Installations and Use) Regulations and current British Standard Specifications.

All damp proofing works must have a 30 year assured guarantee (where appropriate).

Plumbing works must comply with the Water Fitting Regulations.

A completion certificate must be issued by the Council's Chief Building Control Officer (or alternative approved provider) confirming that the structural alterations comply with current Building Regulations (where appropriate).

Replacement windows and doors must comply with the FENSA standard.

The final instalment of the loan is payable when all of the works on the Schedule of Works have been completed to the Council's satisfaction and the property has met the decent homes plus standard. This includes works that are to be funded by the owner.

On completion of the works, the property must be decorated and appropriate floor covering must be provided and fitted to kitchens and bathrooms.

HHSRS - Hazard Categories and Profiles

	PHYSIOLOGICAL REQUIREMENTS	
	Hygrothermal conditions	
1	Damp and Mould Growth	Caused by dust mites, mould or fungal growths caused by dampness and/or high humidities. It includes threats to mental health and social wellbeing caused by living with damp, damp staining and/or mould growth.
2	Excess Cold	Covers the threats to health from excessively low indoor temperatures.
3	Excess Heat	Includes threats from excessively high indoor air temperatures.
4	Asbestos (and MMF)	Caused by exposure to asbestos fibres and manufactured mineral fibres (MMF).
5	Biocides	Threats to health from those chemicals used to treat timber and mould growth in dwellings.
6	Carbon Monoxide and Fuel Combustion Products	Hazards due to excess levels of carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke in the dwelling's atmosphere.
7	Lead	Threats to health from the ingestion of lead.
8	Radiation	Threats to health from radon gas and its daughters, primarily airborne, but also radon dissolved in water. While rare, leakage from microwave ovens might also be considered.
9	Uncombusted Fuel Gas	The threat of asphyxiation due to fuel gas escaping into the atmosphere within a dwelling.
10	Volatile Organic Compounds (VOCs)	VOCs are a diverse group of organic chemicals that are gaseous at room temperature and are found in a wide variety of materials in the home e.g. formaldehyde.
	PSYCHOLOGICAL	

	REQUIREMENTS	
	Space, Security, Light and Noise	
11	Crowding and Space	Health hazards linked to a lack of living space for sleeping and normal family/household life.
12	Entry by Intruders	Problems keeping a dwelling secure against unauthorized entry and the maintenance of defensible space.
13	Lighting	Threats to physical and mental health caused by inadequate natural and/or artificial light. It includes the psychological effect associated with the view from the dwelling through glazing.
14	Noise	Threats to physical and mental health caused by noise exposure inside the dwelling or within its curtilage.
	PROTECTION AGAINST INFECTION	
	Hygiene, Sanitation and Water Supply	
15	Domestic Hygiene, Pests and Refuse	Health hazards due to poor design, layout and construction to the point where the dwelling cannot be readily kept clean and hygienic; access into, and harbourage within, the dwelling for pests; and inadequate and unhygienic provision for storing and disposal of household waste.
16	Food Safety	Threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.
17	Personal Hygiene, Sanitation and Drainage	Threats of infection and threats to mental health associated with personal hygiene, including personal washing and clothes washing facilities, sanitation and drainage.
18	Water Supply for Domestic Purposes	The quality and adequacy of the water supply for drinking and for domestic purposes such as cooking, washing, cleaning and sanitation. Also threats to health from contamination by bacteria, protozoa, parasites, viruses and chemical pollutants.
	PROTECTION AGAINST	

	ACCIDENTS	
	Falls	
19	Falls Associated with Baths Etc	Falls associated with a bath, shower or similar facility.
20	Falls on the Level	Falls on any level surfaces such as floors, yards and paths. Also includes falls associated with trip steps, thresholds or ramps where the change in level is less than 300 mm.
21	Falls Associated with Stairs and Steps	Falls associated with stairs, steps and ramps where the change in level is greater than 300mm. It includes falls on internal stairs or ramps within the dwelling, external steps or ramps within the curtilage of the dwelling, internal common stairs or ramps within the building, access to the dwelling, and to shared facilities or means of escape in case of fire. It also includes falls over guarding (balustrading).
22	Falls between Levels	Falls from one level to another, inside or outside a dwelling, where the difference in levels is more than 300mm e.g. falls out of windows, falls from balconies or landings, falls from accessible roofs, into basement wells, and over garden retaining walls.
	ELECTRIC SHOCKS, FIRES, BURNS & SCALDS	
23	Electrical Hazards	Hazards from electric shock and electricity burns, including from lightning strikes.
24	Fire	Threats from uncontrolled fire and associated smoke. It includes injuries from clothing catching alight which appears to be common when people attempt to put out a fire.
25	Hot Surfaces and Materials	Burns or injuries caused by contact with a hot flame or fire, and contact with hot objects or hot non water-based liquids, and scalds. It includes burns caused by clothing catching alight from a controlled fire or flame.
	COLLISIONS, CUTS & STRAINS	

26	Collision and Entrapment	Risks of physical injury from trapping body parts in architectural features, for example trapping limbs or fingers in doors or windows. Also includes striking (or colliding with) objects such as architectural glazing, windows, doors, low ceilings and walls.
27	Explosions	Threats from the blast of an explosion, from debris generated by the blast, and from partial or total collapse of a building as a result of an explosion.
28	Position and Operability of Amenities etc.	Threats of physical strain associated with functional space and other features in dwellings.
29	Structural Collapse and Failing Elements	The threat of the dwelling collapsing, or of an element or a part of the fabric being displaced or falling because of inadequate fixing or disrepair, or as a result of adverse weather conditions. Structural failure may occur internally or externally.

Basic Kitchen Amenities

Where the eligible grant works include for the provision of a basic kitchen, the following kitchen amenities should be provided. The table also indicates what is required for the amenity to be considered as being present and working.

Amenity	Present
Cold Water Drinking Supply	This refers to a piped cold water supply, which would normally be a mains water supply, connected to a tap outlet and be capable of providing an uninterrupted supply of wholesome water. It is regarded as present if there is a standpipe in the kitchen. It does not have to be connected to a sink to be present.
Hot Water	There must be a fixed supply of hot water capable of supplying a steady stream of hot water. This can be from a central hot water system (e.g. immersion heater) or a single or multipoint hot water heater.
Sink	The sink must be fixed, have a draining board or a second bowl, be non-porous and connected to a fixed waste. Lack of plug would not result in sink being classified as not working.
Fixed Waste	A fixed waste must be permanently connected to the sink and waste water system. This should not be leaking and should be sited to avoid back siphonage.
Cooking Provision	There must be a cooker point (30 amp) or a gas outlet (permanently piped) or a stove or range present. Adequate cooker space should be present, at least 500 mm in width.
Cupboards	There should be sufficient storage space for the dwelling with a minimum 0.3m ³ being provided.
Worktop	The worktop should be fixed, have a permanent non-porous surface and be at least 1000 mm x 600 mm or equivalent area.

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Equality Analysis Form

1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Place
Title of proposed change	Update to Croydon Private Sector Housing Assistance Policy 2021
Name of Officer carrying out Equality Analysis	Lesley Roman

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered/anticipated outcomes. What is meant to achieve and how is it seeking to achieve this? Please also state if it is an amendment to an existing arrangement or a new proposal.

The Housing Renewal Team undertakes its work under the terms of the ‘Private Sector Housing Assistance Policy’. The policy was last updated in 2014. We have recently reviewed and updated it to reflect the current housing needs of Croydon’s residents, which we feel will have a positive impact on all protected characteristic groups.

The services, grants and loans that we provide are aimed to enable older, vulnerable, disabled residents, as well as people on low incomes to remain living independently and safely in their own homes. Our services mainly cover those living in private sector housing, private and housing association tenants, but services such as our Gardening and Handyperson services are available to all Tenures.

Our Policy has been in operation for over 20 years, and is regularly reviewed to ensure we meet local needs. The three main areas covered under the policy with significant changes are as follows:

Home Investment Loans – available to owner occupiers, these are means tested, and are repayable if and when the property is sold. No interest is payable on these loans. They can provide roof repair/replacement, electrical rewire, replacement windows, replacement boilers and energy efficiency measures.

Disabled Facilities Grants – these are mandatory grants and are funded by central government. They are available to all tenures (except council tenants, who have access to the Housing Revenue Account for adaptations). These are means tested. They provide wet rooms, stairlifts, hoists, ramps.

Empty Property Grants – these grants are given to bring empty homes back into use. They properties are generally given back to the council for a minimum 5 year period, to ease the pressure on the Council’s waiting list, for council property.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn’t and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	<p>The new policy will provide more scope for people to access financial support to improve, adapt and maintain their homes, in order to remain living in a safe and secure environment. Improved living conditions result in better health and wellbeing.</p> <p>Proposed Changes*</p> <p>Home Improvement Loans</p> <p>Increase loan from £20k to £30k.(A proposed increase to £30k would be more in line with the current cost of building work to satisfactorily cover a range of essential repairs. Roof, Window, Electrics, DPC, renew bathroom, renew kitchen etc. especially over the life of the policy -5 years).</p> <p>Means test -Increase savings levels to account for an individual (max £15k) or a couple (£20k)</p> <p>Include a client contribution within the Loan, and add as a lifetime charge.</p> <p>Allow previous Loan applicants to access the new Loan limit for unrelated work up to £30k</p>		<p>Feedback from applicants for loans/grants – analyzing the number of people who do not proceed because of certain aspects of the loan/grant – the improvements proposed will negate some of these issues. These are outlined in the positive impact column *</p> <p>The most common reason for people not proceeding with grant and loans is generally financial – in that they are not eligible as their income is too high. Or they do not want the upheaval that the work involves</p> <p>We are currently unable to provide detailed reports on the makeup of client groups i.e. BAME, Gender, Ethnicity etc. But will look to address this with improved IT, to be able to report on the information that we record.</p>

	<p>Home Repair Loans</p> <p>Increase savings level to £6k</p> <p>Increase HR Loan limit to £4k</p> <p>Include annual services costs of equipment i.e. stair lifts/ hoists under the HR loan</p> <p>Empty Homes Grant</p> <p>To add an additional element of financial assistance of £5000 to Empty Homes Grant (13.0) in cases where it is possible to increase the provision of adapted ground floor units. This reflects the higher cost of providing adapted units to meet the needs of residents with disabilities who are waiting for a suitably adapted home. The council will retain nomination rights for 5 years to all adapted and non-adapted units. This will enable the council to house residents with disabilities. There are currently over 100 residents awaiting wheelchair accessible accommodation on the housing waiting list.</p>		
Disability	<p>Proposed Changes*</p> <p>Increase relocation grant from £7k - £10k (enable people to move to a more suitable property to be adapted)</p> <p>Offer a Discretionary Disabled Facility Grant to top up DFG grant (max £30k) (when work exceeds £30k limit)</p> <p>Include reasonable client contributions on Discretionary DFG- (this helps people who have been assessed to pay a contribution</p>		

	towards the work, but who are unable to afford it).		
Gender	The above applies (see column on age)		
Gender Reassignment	The above applies (see column on age)		
Marriage or Civil Partnership	The above applies (see column on age)		
Religion or belief	The above applies (see column on age)		
Race	The above applies (see column on age)		
Sexual Orientation	The above applies (see column on age)		
Pregnancy or Maternity	The above applies(see column on age)		

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:		
Additional information needed and or Consultation Findings	Information source	Date for completion

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 3 – Impact scores

<p>Column 1</p> <p>PROTECTED GROUP</p>	<p>Column 2</p> <p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 3</p> <p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 4</p> <p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	1	1	1
Disability	1	1	1
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

Equality Analysis

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability				
Race				
Sex (gender)				
Gender reassignment				
Sexual orientation				
Age				
Religion or belief				
Pregnancy or maternity				

Marriage/civil partnership			
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6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.			
Decision	Definition		Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.		X
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form		
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.		
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.		
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title:	Date:

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7. Sign-Off

Equality Analysis

Officers that must approve this decision	
Equalities Lead	Name: Yvonne Okiyo Date: 01.12.20 Position:
Director	Name: Date: Position:

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REPORT TO:	CABINET 26 July 2021
SUBJECT:	Rough Sleeping Initiative Fund 2021-22 (RSI4)
LEAD OFFICER:	Alison Knight Executive Director, Housing Julia Pitt, Director, Gateway Services
CABINET MEMBER:	Councillor Patricia Hay-Justice, Cabinet Member for Homes
WARDS:	All

COUNCIL PRIORITIES 2020-2024

The RSI programme helps to address all the Councils's priorities:

- We will live within our means, balance the books and provide value for money for our residents. – *grant funding secured enables the Council to enhance and increase services provided to tackle rough sleeping, address the support needs of rough sleeping and reduce demand on a range of Council services.*
- We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice. – *rough sleeping is one of the most evident outcomes of inequality, one of the most basic needs of our residents' has not been met. Rough sleepers have an extremely low life expectancy, and average age of 43.*
- We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe. To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand. - *In the [2015 Hard Edges](#) report, the costs of rough sleeping to the public purse were calculated to be between £14,300 and £21,200 per person per year. The higher cost being incurred if rough sleeping occurred alongside substance misuse and offending. This is 3 to 4 times the average cost to public services of an average adult (approximately £4,600). Securing grant funding for services to reduce rough sleeping, helps to reduce demand on our core services. However, MHCLG have stressed in conditions of funding that RSI funding is designed to build on existing local rough sleeping services and should not be used to substitute existing support offers.*

FINANCIAL IMPACT

The Council has been allocated a total of £1,703,733 RSI funding in 2021-22 to fund specific interventions set out in the detail of the report. The funding will be received in two tranches:

Tranche 1, received April 2021. This represented continuation funding for 1/4/2021 – 30/6/2021 of £329,158, at the same level as 2020-21 RSI funding, plus an uplift of £130,000 uplift to enable the Council to continue to provide accommodation and move on for rough sleepers accommodated as a result of the pandemic.

Tranche 2 was confirmed in May 2021; the funding cycle was delayed by delivery of

the response to the pandemic. This funding will be paid in autumn 2021, on receipt of a projection of spend for the remainder of the year and confirmation from the Council's s151 officer that funding has been spent as set out in the award letter. Underspend of £152,619 will be deducted from this tranche, leaving a balance of £1,551,114 to be paid.

Any interventions funded will be contained within the funding envelope and no match-funding or additional administration costs are required to accept and manage the funding. Successful outcomes will reduce future costs arising from repeat homelessness, and associated costs to the public purse from rough sleeping.

In the [2015 Hard Edges report](#), the costs of rough sleeping to the public purse were calculated to be between £14,300 and £21,200 per person per year. The higher cost being incurred if rough sleeping occurred alongside substance misuse and offending. This is 3 to 4 times the average cost to public services of an average adult (approximately £4,600).

FORWARD PLAN KEY DECISION REFERENCE NO: This is not a key decision

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1 RECOMMENDATIONS

1.1 Cabinet is recommended to note the contents of this report.

2. EXECUTIVE SUMMARY

2.1 This report is to inform Cabinet of the Rough Sleeping Initiative Grant 2021-22,.

2.2 The Rough Sleeping Initiative Grant supports the Council's priorities, enhancing the Council's ability to prevent and relieve rough sleeping, avoiding the cost to the public purse of long term rough sleeping, and addressing the inequality experienced by these very vulnerable residents.

2.3 The report informs Cabinet of the context of the Rough Sleeping Initiative Grant, aims and expected outcome and sets out the grant allocation.

2.4 The Council has secured £1.7m in Rough Sleeping Initiative Grant funding in 2021-22.

3 Rough Sleeping Initiative Fund

3.1 Rough Sleeping in Croydon

3.1.1 Rough sleeping is quantified on a statutory basis through annual rough sleeping counts or estimates, using [MHCLG methodology](#) and externally

verified. Croydon has seen a steady reduction in the numbers found during rough sleeping counts since 2017, when the Council moved from an estimate to count methodology, with 31 rough sleepers found November 2017, 15, 6 and 15 found in subsequent years. More detailed data on rough sleeping is recorded in the Combined Homelessness and Information Network (CHAIN) database, commissioned by the GLA and used by outreach services. Croydon rough sleepers recorded on CHAIN increased from 234 to 306 between 2017 and 2020. Croydon's most significant challenges are the "flow" of new rough sleepers, Croydon and Redbridge have the highest numbers of new rough sleepers of outer boroughs, and rough sleepers who are living on the streets. Croydon has the highest number, with Redbridge having two fewer. Three quarters of rough sleepers had support needs relating to alcohol, drugs or mental health in 2019/20, with 44% having more than one support need recorded.

3.1.2 Two key factors may impact on rough sleeping during 2021-22; lifting of the ban on evictions from the private sector, and the risk that EU nationals who are rough sleeping will miss the "window" to secure settled or pre-settled status. Meanwhile the "flow" of new rough sleepers has continued during the first quarter of 2021-22,

3.2 The **Rough Sleeping Initiative Fund** was launched in 2018, following publication of the Government's [Rough Sleeping Strategy](#). This is the fourth annual funding round that the Council has been successful in securing.

3.2.1 The key objectives of the current funding round are to:

- > ensure that as few people as possible return to streets from emergency accommodation put in place during COVID-19. As COVID-19 remains a health risk, it is also essential that people, particularly those who are at increased risk of severe illness, are kept safe;
- > continue to ensure a response to those who remain or arrive on the streets who are at risk of Covid-19;
- > ensure longer-term accommodation and support solutions for those already in a rough sleeping pathway – enabling them to move on to independent living; and
- > free up spaces in hostels so that supported accommodation is available for those that need it.

3.2.2 Key outcomes include the following with those in bold the key measures adopted by MHCLG:

- 1. Maximise the number of individuals identified as sleeping rough and ensure their needs are assessed (completed Personalised Housing Plans)**
- 2. Increase in the number of known individuals with a tailored service offer.**
- 3. Increase in the number of individuals supported through the RSI who sustain their tenancies beyond 6 months**
- 4. Increase in the number of individuals identified as "at risk" prevented from rough sleeping**
 - > access to affordable accommodation;
 - > improved mental and physical health, well-being and resilience;

- > greater financial inclusion; engagement with treatment, for those with substance misuse needs;
- > engagement with employment, education, training, volunteering or meaningful activity; and
- > move-on to fully independent living.

3.2.3 The 2021-22 funding round was simplified by MHCLG, the Councils bid was created through a two stage co-production exercise, initially with key internal and external partners and, subsequently with the MHCLG Rough Sleeping Advisory Team which oversees deliver of the programme.

3.2.4 **Funding allocation:** the table below sets out the funding allocation 1 July 2021 – 31/3/2022 (outcomes key below):

Title	Intervention	RSI outcomes and objectives	Existing or new	Cost
Rough Sleeping Coordinator	Coordinates rough sleeping response across the Council and ensures delivery of RSI programme.	1a, 1b, 2a, 2b	Existing	£48,272
Housing First	Intensive housing related support for 20 complex need rough sleepers who live on the streets or rough sleep intermittently operating on Housing First principles and preventing their return to rough sleeping.	1b, 2a	Existing	£130,541
Somewhere Safe to Stay assessment hub	Direct access short-stay accommodation hub for rough sleepers. Now includes provision for nightly let bookings owing to loss of shared bedspaces. Works with 15 rough sleepers at any one time.	1a, 1b, 2b	Existing/ New	£394,690
Complex Needs Navigator	Sustains complex need rough sleepers in nightly let accommodation and supports transition into longer term accommodation. Works intensively with a caseload of 12 rough sleepers who have lived on the streets or have rough slept intermittently preventing their return to	1b, 2a	Existing	£35,010

	the streets by finding tailored solutions.			
Rough sleeping Homelessness Reduction Act (HRA) officer (2FTE)	Funds two additional Housing Needs Officers within the Single Homelessness Team enabling rapid assessment of homelessness duties, a coordinated response and a streamlined pathway from the streets.	1a, 2b, 2a, 2b	Existing	£70,020
Prison discharge navigators (2FTE)	Provide a "Through the Gate" response to prison referrals through "Duty to Refer", assessing prisoners at risk of rough sleeping prior to release and ensuring accommodation on release.	2b	New	£81,690
Winter coordinator – Community Engagement Officer	To deliver the Council's cold weather response and support successful delivery and mobilisation across the programme	1a, 1b, 2a, 2b	New	£38,699
Private Sector access	To fund interventions to increase PRS access for low needs rough sleepers, and for rough sleepers moving on from supported accommodation. Secure up to 66 privately rented tenancies	1b, 2b	Enhanced	£150,000
Discretionary Personalisation Fund	Enables services to find individualised solutions to rough sleeping. Funds reconnections, clothes, furnishings, access to ID etc.	1b, 2a, 2b	Enhanced	£150,000
Lead Navigator	Coordinates and delivers multi-agency response to long term and intermittent rough sleeping resulting from complex need.	1b, 2a	New	£48,272
Legal Advice Fund	To assist non UK rough sleepers to access support to resolve immigration status.	Repurpose? See 3.2.7	New	£35,000
Employment support for rough sleepers	To support rough sleepers to access employment	Repurpose? See 3.2.7	New	£45,000

3.2.5 Outcomes key:

Outcome reference	Outcome
1a	Maximise the number of individuals identified as sleeping rough and ensure their needs are assessed (completed Personalised Housing Plans)
1b	Increase in the number of known individuals with a tailored service offer.
2a	Increase in the number of individuals supported through the RSI who sustain their tenancies beyond 6 months
2b	Increase in the number of individuals identified as “at risk” prevented from rough sleeping

3.2.6 RSI4 funding is subject to a number of **principles** covering homelessness assessments, reducing numbers in emergency accommodation, offering safe and appropriate accommodation, reducing the numbers at risk of, and sleeping rough, tenancy sustainment, partnership working, service user participation and ensuring that support offered to non-UK nationals complies with legal restrictions.

Delivery is overseen by the MHCLG Rough Sleeping Advisory Team through regular meetings with key staff. An internal Grant Delivery and Development group including key Gateway, Homelessness and Finance officers will provide internal oversight and governance on delivery.

3.2.7. There are occasions where the team negotiates with MHCLG to re-purpose the grant. Some of the intended uses of the grant may become less relevant or barriers to mobilization may arise. Pan-London legal advice and employment services for rough sleepers have been launched since the funding submission was made and continuing with these services would duplicate these existing services. The team has submitted a request to repurpose the MHCLG funding for these services to deliver two pilots:

- > A further complex needs street outreach worker to work intensively with rough sleepers who are becoming entrenched owing to their lack of engagement in the solutions offer. Their role will bridge both support and enforcement services to ensure that enforcement is taken where necessary but is proportionate and aligned with an ongoing offer of support.
- > A dedicated rough sleeper social worker pilot. This was bid for in the original funding submission.

MHCLG are considering these requests.

4. CONSULTATION

- 4.1 RSI funding proposals have been developed through a process of co-production with key internal and external partners. Partners are consulted on the effectiveness of existing interventions, needs and gaps in services as well as emerging trends. An initial draft proposal is developed with the Council's RSI adviser based on this consultation.
- 4.2 This process was abbreviated in this funding round, owing to the short timescale between prospectus and funding submission date. Partners were invited to a discussion as well as to submit views by email. The team consulted key voluntary sector partners Croydon Crisis Skylight, Evolve Housing & Support, Thames Reach, Turning Point, the SLaM START team, homelessness assessment service, DWP and the homeless health forum.

5 PRE-DECISION SCRUTINY

- 5.1 This report is for information only and not a decision.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 This funding and the associated terms of spending have been agreed with MHCLG. No additional match funding is required to accept the grant and all costs of administering the grant to be met from the grant funding. No commitment is given by MHCLG about the level of ongoing funding for this work which translates to limited security for posts funded from this grant and also means there is some risk around related restructure costs should the funding cease. This would not be a risk in 2021/22 and all efforts would be made to limit the impact of any such costs through redeployment as appropriate.
- 6.2 One of the aims of the funding is to reduce the overall costs to the public sector of rough sleeping; this will include the impact on spending budgets over and above those on Local Government. There is no directly related savings target or proposal arising from the use of this funding for LBC as the aims and outcomes are agreed with MHCLG. Additionally, the budgets within Croydon that should see reduced spend as a result of this funding, such as Homelessness and Social Care budgets, are demand led and the main impact would be a slowing in the rate of demand growth to be factored into demand projections informing the base budget requirements.

6.3 Revenue and Capital consequences of report recommendations

The Council has been allocated a total of £1,703,733 RSI funding in 2021-22 to fund specific interventions set out in the detail of the report. The funding will be received in two tranches:

Tranche 1, received April 2021. This represented continuation funding for 1/4/2021 – 30/6/2021 of £329,158, at the same level as 2020-21 RSI funding, plus an uplift of £130,000 uplift to enable the Council to continue to provide

accommodation and move on for rough sleepers accommodated as a result of the pandemic.

Tranche 2 was confirmed in May 2021; the funding cycle was delayed by delivery of the response to the pandemic. This funding will be paid in autumn 2021, on receipt of a projection of spend for the remainder of the year and confirmation from the Council's s151 officer that funding has been spent as set out in the award letter. Underspend of £152,619 will be deducted from this tranche, leaving a balance of £1,551,114 to be paid.

Any interventions funded will be contained within the funding envelope, there will be a nil financial impact on the Council on in-year spending. Successful outcomes will reduce future costs arising from repeat homelessness, and associated costs to the public purse from rough sleeping.

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
Revenue Budget available				
Expenditure	1,704			
Income	1,704			
Effect of decision from report				
Expenditure				
Income				
Remaining budget	0			
Capital Budget available				
Expenditure				
Effect of decision from report				
Expenditure				
Remaining budget				

6.4 The effect of the decision

In the [2015 Hard Edges report](#), the costs of rough sleeping to the public purse were calculated to be between £14,300 and £21,200 per person per year. The higher cost being incurred if rough sleeping occurred alongside substance misuse and offending. This is 3 to 4 times the average cost to public services of an average adult (approximately £4,600).

6.5 Risks

Financial risk within the financial year is low, however there are risks relation to

deliverability:

- 6.5.1 Rough sleeping grant funding has brought increased funding to the Council and enhanced our ability to respond to rough sleeping, however the short term nature of funding, and the inclusion of further funding streams in-year (five in 2020-21) creates challenges in terms of deliverability, and effective planning strategically. MHCLG have excluded core services from their grant funding, therefore in-house resources to commission, mobilise, contract manage and administer interventions are very lean, and officers are balancing this against operational delivery and the need to plan for future funding rounds. There is an ongoing risk of slippage in delivery of the programme as a result.
- 6.5.2 An outcome of the short term nature of funding cycles is that services delivered are primarily short term, and strategic gaps that would require longer term contracts to ensure delivery cannot be supported. Externally commissioned services, and the Council are limited to recruiting staff on fixed term contracts, which has negative impacts on deliverability with high turnover and staffing gaps towards the end of the funding period.
- 6.5.3 Clear strategic direction in terms of the Council's priorities regarding homelessness and rough sleeping, and clarity as to the Council's minimum offer is also required in order to respond to such a fluid programme.

6.6 Options

"Do nothing". Should the Council fail to implement the grant, MHCLG would claw back any unspent grant. This would result in a loss of services for rough sleepers. Services to tackle rough sleeping would be lost and it would be necessary to decommission services.

6.7 Future savings/efficiencies

- 6.7.1 Internal recruitment will be made available to re-deployees, reducing potential redundancy costs.
- 6.7.2 Successful avoidance or relief of rough sleeping does create savings to the public purse, as set out in the Hard Edges report. The expectation from MHCLG is that RSI funding is designed to build upon existing local rough sleeping services and should not be used to substitute existing support offers

Approved by: Sarah Attwood, Finance Manager

7. LEGAL CONSIDERATIONS

- 7.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that whilst the recommendations within this report have no direct legal implications as they are for information, Local authorities' duties towards homeless people are contained in Part 7 of the Housing Act 1996 (as amended). Local authorities have a duty to secure permanent accommodation for unintentionally homeless people in priority need. Changes introduced by the Homelessness Reduction Act 2017 placed additional duties on local authorities

which apply to all eligible applicants irrespective of whether they fall into a priority need category. Local authorities have, as a result, a duty to prevent homelessness for all eligible applicants threatened with homelessness; and a duty to relieve homelessness for all eligible homeless applicants. Housing authorities have a duty to provide or secure the provision of advice and information about homelessness and the prevention of homelessness, free of charge. This advice and assistance must be made available to any person in the district “including people who are not eligible for further homelessness services as a result of their immigration status.”

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer.

8. HUMAN RESOURCES IMPACT

- 8.1 The grant funding supports eight internal staffing posts, three of which will extend existing fixed term contracts and five of which will require recruitment. Posts will be made available to eligible re-deployees.

Approved by: Sue Moorman, Director of Human Resources

9. EQUALITIES IMPACT

- 9.1 An equality analysis has been drafted and has found that implementation of grant funding will have no negative impact on protected groups. It did identify a lack of evidence concerning two protected groups: religion or belief and sexual orientation. An action to mitigate this will be to consult with community groups through the recently established Homelessness Forum established by CVA.

The analysis also found the implementation of the grant funding will have a positive impact on groups that share protected characteristics as outlined below:

- ensure that as few people as possible return to streets from emergency accommodation put in place during COVID-19. As COVID-19 remains a health risk, it is also essential that people, particularly those who are at increased risk of severe illness, are kept safe;
- continue to ensure a response to those who remain or arrive on the streets who are at risk of Covid-19;
- ensure longer-term accommodation and support solutions for those already in a rough sleeping pathway – enabling them to move on to independent living; and
- free up spaces in hostels so that supported accommodation is available for those that need it.

Approved by: Yvonne Okiyo, Equalities Manager

10. ENVIRONMENTAL IMPACT

- 10.1 Environmental impact will be minimised. Internal staff will be required to follow Providers are required to evidence how they will reduce the environmental impact of their service in any procurement exercise. For example, the Housing First service uses pool cars rather than paying mileage allowance.

11. CRIME AND DISORDER REDUCTION IMPACT

- 11.1 The Rough Sleeping Coordinator post works closely with the Anti-Social-Behaviour Team, and Violence Reduction Network to identify strategies to resolve any street based activity such as begging or street drinking. Increasing the Council's capacity to resolve rough sleeping reduces the number of rough sleepers, and the length of time they spend on the streets, both of which have a positive impact on crime and disorder where these individuals are also displaying anti-social behaviour.
- 11.2 It is important to note that rough sleeping and crime and disorder are not synonymous.

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 12.1 n/a

13. OPTIONS CONSIDERED AND REJECTED

- 13.1 n/a – for information only.

14. DATA PROTECTION IMPLICATIONS

- 14.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

- 14.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO

The subject of this report does not lead directly to processing of personal data. Where required, DPIAs will be completed during mobilisation of specific projects.

Approved by: Julia Pitt, the Director of Gateway Services

CONTACT OFFICER:

Rebecca Clews, Lead Coordinator,
07776991162

BACKGROUND PAPERS

<https://www.gov.uk/government/publications/rough-sleeping-initiative-2021-to-2022-funding-allocations>

For General Release

REPORT TO:	CABINET 26 JULY 2021
SUBJECT:	2021/22 (Part) Local Implementation Plan Funding, Bus Priority Funding and Active Travel Funding Programme
LEAD OFFICER:	Sarah Hayward, Executive Director of Place Heather Cheesbrough, Director of Planning and Strategic Transport Steve Iles, Director of Public Realm
CABINET MEMBER:	Councilor Muhammad Ali - Cabinet Member for Sustainable Croydon
WARDS:	All

COUNCIL PRIORITIES 2020-2024

The report and recommendations address several of the Council's priorities, namely:

- *We will live within our means, balance the books and provide value for money for our residents.*

The report relates to the spend of different elements of Transport investment grant funding. In order to maximise the level of grant funding and the value derived from the funding, Croydon Council needs to act swiftly submitting proposals/requesting funding, and equally delivering.

- *We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.*

The overall 'programme' is intended to speed delivery of the Mayor of London's Healthy Streets objective. It seeks to help all to travel actively and sustainably, to walk and cycle and use public transport, bringing benefits in terms of healthy weight, improved air quality, free/low cost travel, benefits expected to accrue more strongly to the most deprived communities.

- *We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe. .To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand.*

The 'programme' is focussed on providing safer street space in which people can choose to walk or cycle, helping all become more active and in turn healthy, ultimately accruing savings for the NHS and Council care services.

[Council's priorities](#)

FINANCIAL IMPACT

2021/22 funding via TfL is still to be finalised but a total of £4,600 could be made available to Croydon to spend on a programme as indicated Table 1 of this report. The Cabinet is requested to take the Key Decision to approve expenditure of funding both allocated and yet to be allocated by TfL. Spend also to be subject to any further advice from the S151 Officer / Director of Finance, Investment and Risk, and decisions to be taken on the delivery (or otherwise) of individual projects.

FORWARD PLAN KEY DECISION REFERENCE NO.: 3621CAB

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

The Cabinet is recommended to agree to:

- 1.1 the expenditure of external ring-fenced funding indicated within Table 1 of Section 3 of the report, expenditure, subject to any further advice of the S151 Officer / Director of Finance, Investment and Risk.
- 1.2 the delivery of the potential programme summarised within Section 3 of report, the extent and scope of that programme dependent on funding allocations to Croydon Council still to be confirmed by TfL; and subject to other matters outlined in Section 3 of the report.

2. EXECUTIVE SUMMARY

- 2.1 The report outlines and recommends expenditure for 2021/22 on a programme to deliver Croydon Local Implementation Plan objectives; Central Government's Sustainable and Active Travel objectives; and the Mayor of London's/TfL's Streetspace Plan objectives. It is deemed a Key Decision as the combined potential expenditure is an estimated **£4,600**, and delivery of the programme is expected to have effects in a number of wards (although not necessarily significant). The nature of the programme and its geographical spread is outlined within the report and appendix 2. The recommended spend cannot be precise, as (at the time of writing the report) the results of funding requests to TfL are unknown.

3. THE ANTICIPATED PROGRAMME

Background

- 3.1 In normal times, TfL would allocate funding to each London local authority to support delivery of proposals within the authority's Local Implementation Plan

(plan to implement the Mayor's Transport Strategy). Each October, the local authority would confirm to TfL, how it proposed to spend the Local Implementation (LIP) funding allocated for the following financial year. TfL would then confirm release of the allocated funds for that year. The process helped ensure effective programme planning and management. However, this process ceased in May 2020. TfL's income sources had largely disappeared due to the Covid19 Lockdown, and TfL was dependent on financial bailout by central government. TfL informed the local authorities that the previously confirmed 2020/21 LIP funding, was no longer available. Instead, there was a smaller amount of funding with which to deliver the Mayor of London's Covid19 Pandemic related Streetspace Plan. Local authorities were to submit proposals / bids for funding, to be spent by Mid October. In late October, the local authorities were informed of LIP Funding for the period November to March, with allocations being confirmed in November 2020. In November, they were informed of Active Travel Funding being provided by central government (administered by TfL), which each authority could swiftly bid for. The Active Travel Funding was for what remained of 2020/21, with the ability to carry underspend into 2021/22.

- 3.2 TfL's ability to provide funding to the local authorities, is dependent on its financial settlements from central government. The settlement from central government for this financial year was initially until 18th May, extended to the 28th May. TfL provided each local authority with a LIP Funding allocation for the period 1st April to 18th May, (in turn extended to 28th May). At the time of drafting this report, a further financial settlement for the period to 11th December 2021, had been announced. It includes approximately £60m Active Travel Funding for the London local authorities, to be administered by TfL. TfL issued (11th June) brief guidance regarding submission of proposals for Active Travel Funding (submission deadline 25th June). As there is currently no further TfL LIP Funding, there is no associated ring-fenced funding for related programmes such as Liveable Neighbourhoods. However elements of existing Liveable Neighbourhood proposals can be submitted for funding, and may be funded if they meet the Active Travel Funding priorities. A ring-fenced Bus Priority funding stream has been maintained.
- 3.3 There is no certainty as to what funding will be made available to Croydon, or in what form over the remainder of the financial year. Due to the continually changing funding circumstances, there is no right or easy time at which to bring to Cabinet, the recommendation to spend. Spend will depend the funding allocated by TfL. It will also depend on decisions to be taken regarding individual projects. Projects within the programme are at differing stages of development and delivery. Regard will need to be had to such matters as findings through engagement and consultation; technical approvals including those of TfL; etc., when taking decisions to implement (or not) individual projects. In funding and delivery terms, these are unprecedented times, making programme development and management highly challenging. However, the programme is evolving as:
- funding opportunities arose/arise;
 - funding priorities are set by funders and guidance issued;
 - funding allocation decisions made;
 - proposals are developed and designed and;
 - proposals are consulted on.

The evolving programme continues to be guided by The Mayor of London's Streetspace Plan¹, in particular its Appendix 4 'Analysis for Temporary Strategic Cycle Network', and Appendix 6b 'The Strategic Neighbourhood Analysis' (explanation at appendix 1 to this report). Bus Priority Funding is agreed with TfL based on bus journey time and reliability information etc. Funding for the programme is likely to be supplemented with 'S106 Funding' (funding provided by developers under planning obligations for the purposes of delivering bus priority and sustainable transport infrastructure, use of the funding to be agreed by the Infrastructure Financing Group and following any further advice of the Director of Finance, Investment and Risk).

The Evolving Potential Programme

3.4 The evolving programme seeks to accommodate the Priority Cycle Corridors identified by TfL at:

- London Road, by means of project 1.9 below (London Road Cycle Lanes) linking into West Croydon / the Town Centre via the 'Healthy Route' walking and cycling corridor through project area 2.1 (Broad Green 1 Healthy Neighbourhood) experimental scheme which also delivers the northern element of the original 'Reconnecting Old Town Liveable Neighbourhood' programme.
- Brighton Road by means of project 2.5 below, largely upgrading the existing advisory cycle lanes and making them mandatory, and making bus lane operation 24/7.
- Between Crystal Palace and Croydon Town Centre by creating a 'Healthy Route' walking and cycling corridor along lower traffic / healthy streets connecting through project areas/experimental Healthy Neighbourhoods 1.4, 1.6, 1.6, 2.2 into 1.11
- Mitcham Road/Roman Way/Old Town by staged implementation of cycle infrastructure with an initial element via project 2.12

¹ <https://tfl.gov.uk/travel-information/improvements-and-projects/streetspace-for-london>

Table 1. Potential Programme for Majority of 2021/22 Taking Account of Active Travel Funding Requests to TfL and Existing Allocations

Item No.	Project	Funding Currently Allocated 2021/22	Request for Funding to TfL for Q2-Q3 2021/22	Comment
1.3	HEALTHY NEIGHBOURHOODS: Holmesdale Road LTN / HN	£21,000	£161,000	Low Traffic Neighbourhoods implemented under Temporary Traffic Management Order proposed to be converted to Experimental TMOs including replacing some closure points with camera enforced restrictions to improve ease of access including for emergency services' vehicles and residents using cars.
1.4	HEALTHY NEIGHBOURHOODS: Albert Road LTN / HN	£21,000	£151,000	
1.5	HEALTHY NEIGHBOURHOODS: Elmers Road LTN / HN	£21,000	£67,667	
1.6	HEALTHY NEIGHBOURHOODS: Dalmally Road LTN / HN	£21,000	£67,667	These projects are part of an interconnected set of Healthy Neighbourhoods / Cycle Routes (see appended map and link to Croydon Healthy Neighbourhood web pages https://www.croydon.gov.uk/parking-streets-and-transport/streets-roads-and-pavements/chns/croydons-healthy-neighbourhoods).
1.7	RECONNECTING OLD TOWN CROYDON LIVEABLE NEIGHBOURHOOD -Parsons Mead LTN / HN (Broad Green 1)	£85,000	£101,000	
1.8	Healthy Neighbourhoods - Sutherland Road LTN / HN (Broad Green 2)	£13,000	£75,666	
1.9	CYCLING STRATEGY DELIVERY: Corridors, Walking and Cycling - London Road	£432,542	£100,000	
1.10	CYCLING STRATEGY DELIVERY: Corridors, Walking and Cycling - High Street	£205,998	£50,000	Temporary Cycle Schemes implemented under Temporary Traffic Management Order in response to the Covid Pandemic, proposed to become permanent Orders/schemes. Projects are part of an interconnected network of Streetspace Cycle Routes (see appended map and link to Croydon Streetspace web pages https://www.croydon.gov.uk/croydon-streetspace/current-and-planned-schemes)
1.11	CYCLING STRATEGY DELIVERY: Dingwall Road	£135,514	£50,000	
2.1	Reconnecting Old Town Implementation of Quick Win on Roman Way	£0	£500,000	
2.2	Crystal Palace 1 Healthy Neighbourhood (Auckland Road)	£175,000	£0	DfT Active Travel Funding (use by 31/03/22)
2.3	Selhurst Healthy Neighbourhood 1 (Sydenham Road)	£107,000	£0	
2.4	Selhurst Healthy Neighbourhood 2 (Dagnall Park)	£21,000	£0	
2.5	Brighton Road Cycle Lanes	£575,527	£0	
2.6	St James Road - Wellesley Road - Whitehorse Road	£337,000	£0	TfL Bus Priority Funding (use by 11/12/21)
2.7	A2022 Kent Gate Way/Lodge Lane Roundabout, Addington Village	£100,000	£0	
2.8	East Croydon Bus Priority	£50,000	£0	
2.9	Brighton Road Warham Road Northwards Croydon 60 and 466	£50,000	£0	
2.10	Brighton Road Purley Cross Croydon 60 and 466	£50,000	£0	
2.11	Denning Avenue and Warham Road Corridor	£0	£29,000	TfL Bus Priority Funding (use by 11/12/21)
2.12	Mitcham Road Corridor	£0	£29,000	
3.1	Walking and Cycling -Ampere Way	£0	£500,000	Implementation of segregated bidirectional cycle track and associated footway improvements, sustainable drainage and landscaping.

3.2	Healthy Neighbourhoods HOME Area- Clyde Road - Bingham Rd HN	£0	£50,000	Funding for feasibility, traffic modelling and initial design to support delivery of Healthy Neighbourhood
3.4	Further 5 School Streets /School Pedestrian Zones	£3,000	£25,000	Expansion of the School Pedestrian Zone / School Streets programme.
3.8	Healthy School Neighbourhood Behaviour Change	£33,000	£10,000	School Travel Planning and associated activities to encourage healthy and active travel, plus road safety training and education
3.9	Vision Zero Behaviour Change	£7,000	£10,000	
3.10	Bus Scheme: Shirley Avenue bus stops implementation	£0	£40,000	Installation of 4 accessible bus stops.
3.11	CYCLING STRATEGY DELIVERY: Corridors, Walking and Cycling - Barclay Road A232	£0	£50,000	Feasibility and design to improve the Connect2 Cycling and Walking route as it crosses the London-Brighton railway line / the Barclay Road bridge.
3.12	Play Streets (temporary schemes)	£0	£30,000	Support for the Play Streets programme.
TOTALS:		£2,464,581.00	£2,097,000.00	COMBINED TOTAL:£4,561,581.00

4. CONSULTATION

4.1 When:

- the Department for Transport issued its guidance to local authorities '*Traffic Management Act 2004: Network Management in Response to COVID-19*' in May of last year; and
- the Secretary of State called on local authorities to act swiftly to implement measures to enable people to choose to walk and cycle

central government amended the Procedure Regulations relating to the making of Temporary Traffic Management Orders (TMO). The amendment enabled the making of Temporary TMO's for purposes related to COVID19. The measures implemented in Croydon (in response to the DfT Guidance; the call to action from the Secretary of State; and the Mayor of London's/TfL's Streetspace Plan for London), were generally implemented under Temporary TMO's. There is no statutory public consultation/objection process associated with the making of a Temporary TMO. A significant part of the programme in this report, revises many of those Temporary schemes, moving to time limited experimental schemes implemented under Experimental TMOs. There is no statutory public consultation/objection prior to the making of an Experimental TMO. That process is undertaken once the Experimental TMO is made, in relation to the decision to make the experiment permanent or not. However, a process of public engagement is being undertaken prior to the making of the Experimental TMOs. In some instances (e.g. the Dingwall Road Temporary Cycle Lanes), it is intended to move from Temporary TMO to Permanent TMO, the making of which includes statutory public consultation / objection. Different projects / elements of the programme will have their own appropriate consultation and engagement.

5 PRE-DECISION SCRUTINY

5.1 We are still in a funding and delivery regime fractured by the COVID19 Pandemic, and one only partially remade in response to it. Funding and delivery are in the form of very short term bursts, making challenging bringing a decision to spend to Cabinet at the 'right time'. The ability to bid for funding (following the end of LIP Funding on 28th May), was only confirmed through TfL's publication of the funding Guidance on 11 June. The nature of this almost totally reactive process, makes the building in of Pre-Decision Scrutiny even more challenging. One of the components of the recommended 'programme' has been the subject of Scrutiny, namely the Experimental Low Traffic Neighbourhood/Healthy Neighbourhood at Crystal Palace and South Norwood.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

6.1 The combined estimated expenditure of £4,561,581 is for project work within 2021/22 only, without any impact on further years in the 2021/24 MTFS. The works will be externally funded by TfL. Given the financial uncertainty with regard to Central Government funding of TfL, there is a risk of amendments to the estimated funding, any variations will be anticipated and result in adjustments to the programme as required to remain in budget.

6.2 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2021/22	2022/23	2023/24	2024/25
	£'000	£'000	£'000	£'000
Revenue Budget available				
Expenditure		unknown	unknown	unknown
Income				
Effect of decision from report				
Expenditure				
Income				
Remaining budget				
Capital Budget available	4,600	unknown	unknown	unknown
Expenditure		unknown	unknown	unknown
Effect of decision from report				
Expenditure	4,600			
Remaining budget	0			

6.3 The effect of the decision

If agreed, recommendation 1.1 will permit (subject to any further advice of the Director of Finance, Investment and Risk) the spending of external funding provided to the Council with which to foster active and sustainable travel, continue to implement the Mayor's Streetspace Plan, and implement the LIP.

6.4 Risks

The total funding set out within the Table 1 in Section 3 of this report and the 'Current Year' column of the Revenue and Capital table above, is well in excess of the expected level of funding. The funding figures include those in the current ask to TfL. The resulting funding allocation to Croydon is expected to be lower. That said, the time within which to spend and deliver (i.e. by 11th December) even a reduced amount of funding, is very short, bringing delivery challenge and risk.

There is no clarity as to funding for TfL beyond 11 December, and consequently even less clarity as to likely Transport Investment funding for Croydon Council. Consequently, there remains the risk that there may be no further funding coming to the Council from or via TfL.

6.5 Options

The options considered included making a much smaller application for funding or even no application. However, to have done so would impact on the ability to deliver on each of the Council's Priorities addressed at the start of the report, and the ability to act on key recommendations of the Croydon Climate Crisis Commission.

6.6 Future savings/efficiencies

The programme is focussed on providing safer street space in which people can choose to walk or cycle. This is in large part to help all become more active and in turn healthy, ultimately accruing savings for the NHS and Council care services. Additionally, investment made now in successfully limiting Climate Change, reduces the future investment required to mitigate Climate Change/ adapt to Climate Change.

Approved by: Geetha Blood, Interim Head of Finance, Place and Resources

7. LEGAL CONSIDERATIONS

- 7.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Law and Governance and notes that the Council is seeking to submit proposals to maximise funding and the benefits of any such funding with regards to the different elements of transport investment and the Local Implementation Plan (LIP).
- 7.2 The level of expenditure will be dependent on the extent as to any funding received.

- 7.3 Each London local authority is required to produce a LIP to implement the Mayor of London's Transport Strategy within its area failure to do so could result in the Mayor stepping in to implement the LIP and recharging the cost of doing so to the local authority.
- 7.4 There are no further legal considerations that requires comment upon at this stage.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the interim Director of Law and Governance & Deputy Monitoring Officer

8. HUMAN RESOURCES IMPACT

- 8.1 The very small number of post in the Strategic Transport and Highways Services are largely funded from time recharging to the externally funded projects the post holders manage and deliver. The Active Travel Funding on offer, is a significant reduction on what the LIP Funding would have been, and comes with somewhat adjusted priorities. However, it is anticipated that the majority of post holders in the two Service areas will be more than fully employed delivering the programme outlined in this report. There are two posts in the Highways Service where this may not be the case. TfL though is keen to ensure that delivery capacity and expertise is not lost from the local authorities due to short term changes in funding. Hence they are prioritising the funding of Transport and Highways posts from Active Travel Funding, where the post holders will not have projects/programmes to deliver, and consequently could be at risk of redundancy. Funding for the two potentially affected posts was included in the Active Travel Funding request to TfL, however the Council and TfL will work to try and ensure that both post holders are able to continue delivering. As the two posts are externally funded from project funding from TfL, and there is a commitment to prioritise funding for such posts, the HR impact is minimal. However if the funding was to cease the impact on the staff which may be redundancy, would be managed under the Council Policies and Procedures.

Approved by: Jennifer Sankar, Head of HR Place and Housing, for and on behalf, of Sue Moorman, the Director of Human Resources

9. EQUALITIES IMPACT

- 9.1 The Equality Act 2010 introduced the Public Sector Equality Duty. This requires all public bodies, including local authorities, to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not
- 9.2 A full equality impact assessment was undertaken as part of preparing the Local Implementation Plan (LIP). This identified equality issues in relation to access to

public transport, levels of car ownership for some groups and casualty and accident rates which are known to be higher amongst more deprived communities, and include:

Older people

- A need for improved environmental quality and accessibility of the public realm for older people.
- A need to provide community facilities that benefit young people, elderly and disabled (and therefore to make these accessible).

Younger people

- Addressing concerns relating to crime, safety and vulnerability particularly in relation to street crime and road accidents were confirmed.
- Children and young adults are not able to drive and are more dependent on public transport and active travel

Ethnicity

- North of the borough has a greater proportion of the borough's BME population – consider increased sustainable transport provision in the north of the borough.

Gender

- Women tend to have less access to cars and are more likely to depend on public transport for making local journeys for shopping, childcare and work.
- Women tend to undertake more childcare. Address the need for level access in the public realm and to public transport for pushchairs.

Disability

- Improve level access to buildings, public realm, local services and public transport as this will help to improve access to employment, training and leisure for disabled people

9.3 More detailed Equalities Impact Assessment are undertaken for individual projects and programmes. Care is being taken with the design of projects to ensure that any identified impacts of the proposals on more vulnerable groups and groups that share protected characteristics are mitigated. These proposals will be reviewed in more detail with key equality groups during the consultation stage and following consultation each Equalities Impact Assessment will be reviewed and developed further.

Approved by: Yvonne Okiyo, Equalities Manager

10. ENVIRONMENTAL IMPACT

10.1 The programme envisaged within this report seeks to deliver on the Croydon Climate Crisis Commission recommendation '**3. Greening our Neighbourhoods: Promote public transport and active travel to become the natural first choice – including pilot approaches to Low Traffic Neighbourhoods**'. However, the extreme speed at which funding has to be bid for, the equally short time in which to deliver, and the very short term nature of the funding, all work against recommendation '**1. Getting the groundwork right: Rebuild trust with residents, community groups, trade unions and businesses.**' The

'programme' is intended to support recommendations '2. Driving a green economic recovery' and '5. Achieving the scale of change'.

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 Speeding and dangerous driving are possibly the crimes that directly kill or seriously injure more people in the UK than any other. In 2018/19 there were 579 police recorded 'causing death or serious injury by dangerous driving' offences in England and Wales². This compares with a total of 671 victims of murder, manslaughter and infanticide in the same year³.

11.2 The programme in this report is in large part intended to provide safer street space in which people can choose to walk or cycle, the 'safer space' reducing the likelihood of people being the victims of crimes such as:

- Causing death by dangerous driving
- Causing serious injury by driving dangerously
- Causing death by careless driving
- Causing death by careless driving when under the influence of drink or drugs.

However crimes such as

- Dangerous driving (under section 2 of the Road Traffic Act 1988)
- Driving without due care and attention ((careless driving) under section 3 of the Road Traffic Act 1988 (including failing to give a cyclist sufficient room when overtaking them)
- Driving under the influence of drink or drugs
- Exceeding the speed limit for a vehicle of the class that is being driven (Road Traffic Regulation Act 1984)

are potentially having a much larger effect on health and mortality in the longer term, as these are the behaviors/crimes deterring/preventing people from choosing to travel actively.

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

12.1 Cabinet is being recommended to agree expenditure of an as yet unconfirmed total unknown amount, and a programme, the scope and scale of which is not confirmed. The reason for the recommendation is that expenditure on the programme in 2021/22 would exceed the £0.5m threshold at which a decision to spend becomes a Key Decision. Whatever the scale and scope of the programme, it will affect two or more wards. Whilst that effect may not be significant, the decision is being treated as a Key Decision for this further reason. The few months in which the funding needs to be secured and spent,

² <https://www.statista.com/statistics/303473/death-by-dangerous-driving-in-england-and-wales-uk-y-on-y/>

³

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/yearendingmarch2019>

and the programme delivered, do not allow for a delay in recommending expenditure, whilst the level of expenditure is confirmed.

13. OPTIONS CONSIDERED AND REJECTED

13.1 The options considered include making a much smaller application for funding or even no application. However, to do so would impact on the ability to deliver on each of the Council's Priorities addressed at the start of the report, and the ability to act on key recommendations of the Croydon Climate Crisis Commission report addressed in Section 10 of the report.

14. DATA PROTECTION IMPLICATIONS

14.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

14.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO (The subject of the report does not involve the processing of personal data)

Approved by: Ian Plowright, Head of Strategic Transport on behalf of the Director of Planning and Strategic Transport

CONTACT OFFICER: Ian Plowright, Head of Strategic Transport

APPENDICES: Appendix 1 – TfL's Temporary Strategic Cycling Analysis and Strategic Neighbourhood Analysis
Appendix 2 – Location/Context of the Potential Programme/Location of Proposals

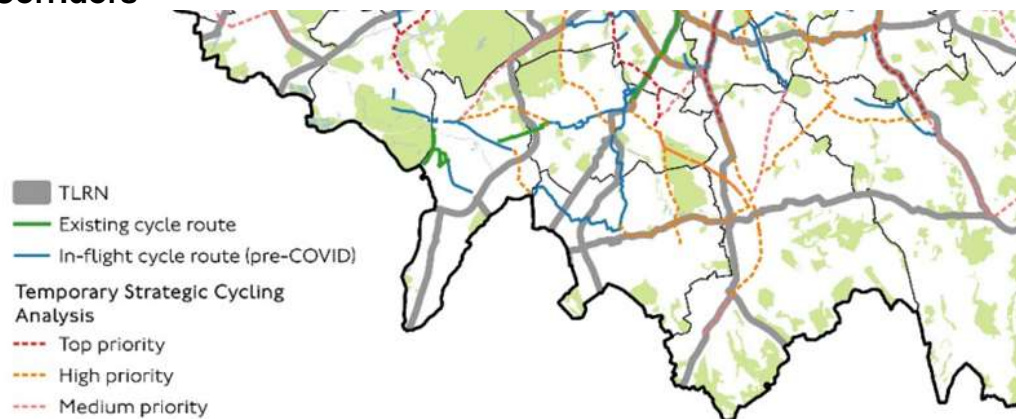
BACKGROUND PAPERS:

'Active travel borough funding Jun to Dec 2021', TfL guidance to local authorities 10 June 2021

TfL's Temporary Strategic Cycling Analysis and Strategic Neighbourhood Analysis

The 'Temporary Strategic Cycle Network' appendix builds on TfL's earlier Strategic Cycling Analysis¹ identifying the locations (such as Croydon) with the highest potential for cycling, and the corridors along which much of that potential exists, identifying priority corridors for intervention.

Figure 1 Image from TfL's Temporary Strategic Cycling Analysis Priority Corridors



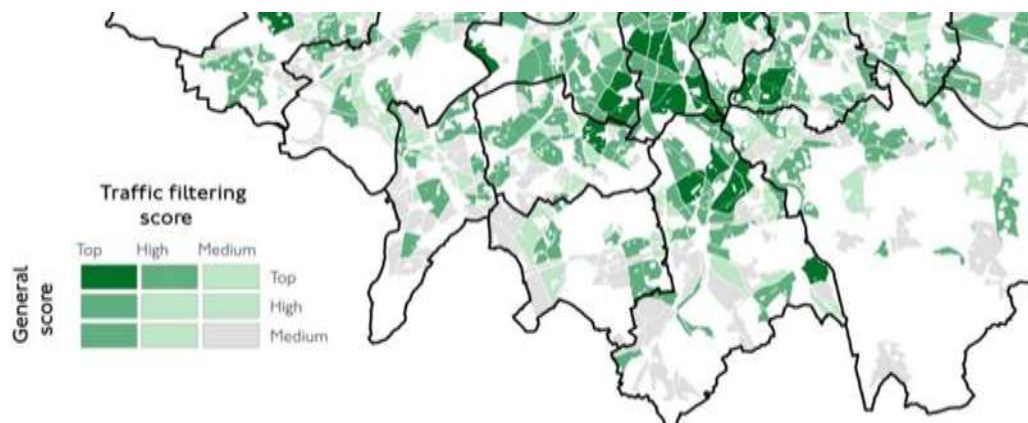
The Strategic Neighbourhood Analysis identified the potential for low traffic neighbourhoods across London, and where the greatest need may be. The Analysis allocated 'neighbourhoods' two scores, a traffic filtering score and a general score. These are combined in Figure 2 below. The traffic filtering score is based on:

- modelled through traffic
- recorded walking and cycling casualties
- the modelled potential cycling flows

The general score is based on factors including:

- number of schools
- levels of deprivation
- total population and low car ownership

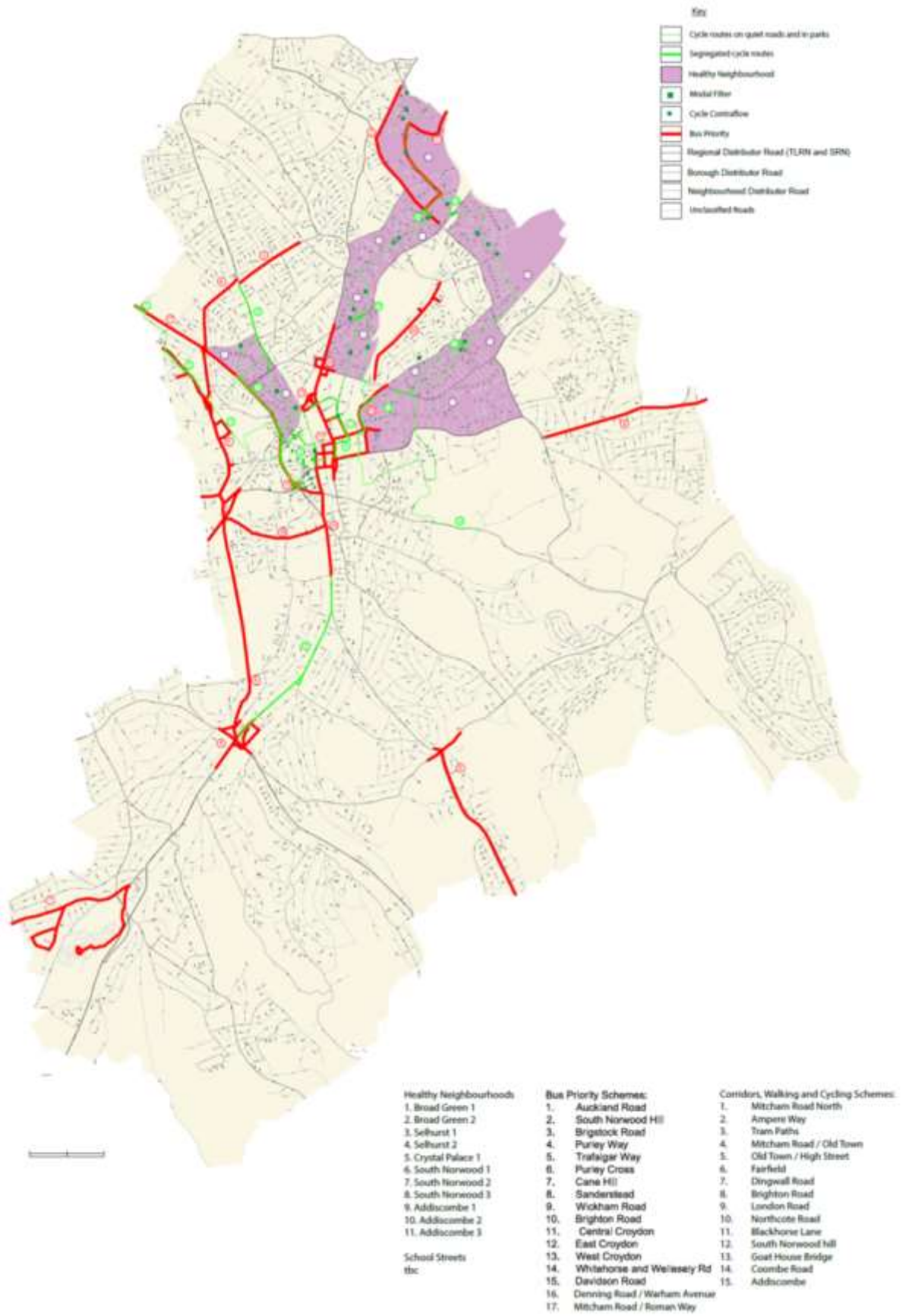
Figure 2 Outcome of TfL Strategic Neighbourhood Analysis



¹ <https://content.tfl.gov.uk/strategic-cycling-analysis.pdf>

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Location/Context of the Potential Programme/Location of Proposals



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For General Release – Part A

REPORT TO:	CABINET 26 July 2021
SUBJECT:	Novation of building works and professional services contracts from Brick by Brick for Fairfield Halls
LEAD OFFICER:	Interim Executive Director for Place, Sarah Hayward Director of Public Realm, Steve Iles
CABINET MEMBER:	Councillor Oliver Lewis, Cabinet Member for Culture and Regeneration
WARDS:	All

SUMMARY OF REPORT:

In accordance with the agreement in principle of Cabinet on 17th May 2021, Croydon have been in the process of novating the building works and professional services contracts from Brick by Brick. This will allow for the final accounts to be reviewed and completed, with responsibility transferring to the Council.

Brick by Brick have been undertaking the refurbishment of Fairfield Halls entertainment venue on behalf of the Council since 2016. Upon completion of the works the contracts were planned to be assigned to the Council for future management and liability.

Due to changes in the structure of the financial mechanism regarding the Fairfield Halls refurbishment, as agreed at May Cabinet, it is recommended that the contracts are novated ahead of the completion of the final accounts. This will give the Council the ability to assess the works completed, commission any further works needed, and take on all risks associated with the venue.

COUNCIL PRIORITIES:

This report arises from the May Cabinet decision that specified the refurbishment of Fairfield Halls should be categorised as a capital works programme, and agreed in principle to the novation of the contracts.

This report will ensure that the proposals for the Fairfield Halls refurbishment align with the Council's New Ways of Working:

- We will live within our means, balance the books and provide value for money for our residents.
- We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.
- We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe.

To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand.

FINANCIAL IMPACT:

The Council will take on financial responsibility for any remaining projected payments to the relevant contractors, contract administrator, quantity surveying and other professional services as part of the final accounting processes for the Fairfield Halls Refurbishment Project.

KEY DECISION REFERENCE NO.: 3821CAB

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out below:

1. RECOMMENDATIONS:

Following Cabinet decisions of 17th May 2021, Cabinet is recommended to:

- 1.1 Agree to proceed with the novation of the Fairfield Halls refurbishment contracts and associated contracts, with outstanding costs to borne by the Council, once certified by the Quantity Surveyors (Chronos Ltd) (not including any potential additional remedial works)
 - i. Novation of the Principal Contractor (Vinci) building works contract from Brick by Brick to the Council, and financial commitment for outstanding retentions.
 - ii. Novation of the Contract Administrator (MICA Architects) contract from Brick by Brick to the Council.
 - iii. Novation of the Quantity Surveying (Chronos Ltd) contract from Brick by Brick to the Council.
 - iv. Novation of other professional services contracts from Brick by Brick to the Council.
 - v. Assignment of completed contracts warranties and guarantees.
- 1.2 Note:
 - i. The recommendations above could not be made under delegated authority (as envisaged in the May Cabinet report) due to its potential overall value
 - ii. Brick By Brick will continue to pay relevant contractors on the Council's behalf whilst the recommended novations are completed, from 1st April and forecasted to August 2021 these payments are under £50,000 (managed under delegated authority)
 - iii. The progress of the non-intrusive survey works

2. EXECUTIVE SUMMARY

- 2.1 Brick by Brick have undertaken the refurbishment of Fairfield Halls on behalf of the Council and, following the May Cabinet decision, the costs have been

reclassified as capital expenditure and Cabinet agreed in principle to the novation of the refurbishment contracts.

- 2.2 Since May Cabinet, the Council has been working with Brick By Brick to undertake due diligence on the existing refurbishment contracts. The works are now approaching practical completion and final accounting activities are underway. As such, there are outstanding cost claims to work through.
- 2.3 It is prudent for the Council to novate the current live contracts and completed contracts with collateral warranties from Brick by Brick. This is to make the Council the client for novated contracts (snagging, defects, and warranty and guarantees) supporting the future management of the venue.
- 2.4 Novation will release and discharge Brick by Brick from its contracts and the Council will have transferred to it all the rights and obligations under those novated contracts.
- 2.5 The eventual costs associated with novation are anticipated to be significantly lower than the sum Cabinet is recommended to agree to in recommendation 1.1. The sum includes a contingency and a range of issues across a range of contracts that are still to be verified by the professional services providers also being novated as part of this report. The detail of these issues is set out in the part B report.

3. BACKGROUND

- 3.1 The Council commissioned plans for a refurbished Fairfield Halls in November 2013 following approval by Cabinet. This was further refined in September 2014 with plans presented to Cabinet for a Cultural Quarter, including a refurbished Fairfield Halls at the heart of the redevelopment.
- 3.2 Further details of the refurbishment financing and cultural vision for the venue were provided in two Cabinet updates in June 2016.
- 3.3 Brick by Brick commenced refurbishment of Fairfield Halls in August 2016.
- 3.4 As explained in the May Cabinet report, the refurbishment of Fairfield Halls was undertaken by Brick by Brick at what was intended to be at nil cost to the Council as the arrangement was structured in such a way that the costs would be covered by the development profit from the adjacent College Green site. Following the February Cabinet decision, this arrangement was no longer taking place, which meant that Brick by Brick no longer had the capacity to fund the expenditure on Fairfield Halls. Therefore, Cabinet decided in May to treat all the costs incurred by Brick by Brick on the refurbishment as Council capital expenditure.
- 3.5 It has always been the intention to assign the contracts to the Council upon completion of the refurbishment works. Due to the February Cabinet decision, however, it was considered to be prudent to undertake a novation

process ahead of the final accounts being settled. It was decided at May Cabinet to agree in principle to the novation of the existing Fairfield Halls refurbishment contracts with Brick By Brick to the Council (subject to review of the individual contracts, to be finalised and authorised by the Interim Executive Director of Place under their delegated authority). However, due to the overall potential costs under those existing contracts, which had been discovered as part of due diligence work with Brick By Brick, this decision is now above Executive Director delegation and, as such, is being recommended to Cabinet.

- 3.6 The novations will bring the financial and delivery risks back to the Council and ensure that the Council is able to, if necessary, enforce any warranties or guarantees.

4. NOVATION OF PRINCIPAL CONTRACT (VINCI) CONTRACT

- 4.1 Brick by Brick have an existing contract with Vinci for the refurbishment of Fairfield Halls.

- 4.2 The contract is now at final completion stage, with ongoing conversations between Brick by Brick and Vinci regarding the final account. These discussions are being supported by the contract administrator partner (MICA) and cost management and quantity surveying partner (Chronos).

- 4.3 It is recommended that the Vinci contract is novated to the Council to undertake these final account activities. This will:
- Place the risk liability on to the Council.
 - Establish the Council as the client for outstanding works, snagging and defects.
 - Establish the Council as the client for warranties and guarantees.

5. NOVATION OF CONTRACT ADMINISTRATOR (MICA) CONTRACT

- 5.1 Brick by Brick have an existing contract with MICA to:
- Liaise with Brick by Brick and the design team to issue necessary certification together with appropriate appendices and qualifications.
 - Assist Chronos and Brick by Brick in determining the final account and in-turn the remaining certificates.
 - Review potential Extension of Time claims from Vinci.
- 5.2 To ensure that works continue to determine the final account, Brick by Brick will continue to pay MICA until the novation of the contract. Croydon will bear the cost of these works.
- 5.3 It is recommended that the MICA contract is novated to the Council to undertake these final account activities.

6. NOVATION OF QUANTITY SURVEYING (CHRONOS) CONTRACT

- 6.1 Brick by Brick have an existing contract with Chronos to:
- Fulfil the role of quantity surveyor limited to the assessment and valuation of contract variations and loss and expense claims for the purposes of assisting and advising the Client in respect of interim valuations and final account certification.
 - Continue to monitor and advise the Client on all contract variations including:
 - Variations
 - Extension of Time matters
 - Loss and Expense claims
 - Advise the Client in regard to retention release and calculation of any liquidated and ascertained damages under the Building Contract.
 - Assess and agree the final account submitted by the Contractor at completion.
 - Issue certificate for release of final retention sum.
- 6.2 To ensure that works continue to determine the final account, Brick by Brick will continue to pay Chronos until the novation of the contract. Croydon will bear the cost of these works.
- 6.3 It is recommended that the Chronos contract is novated to the Council to undertake these final account activities.

7. NOVATION OF ALL OTHER PROFESSIONAL SERVICE CONTRACTS

- 7.1 Brick by Brick have other existing contracts for professional services that are directly engaged on the Fairfield Halls refurbishments. These professional services fulfil the roles of Principal Designer, Architects, other Designers/Engineering and Health & Safety advice. These other professional services contracts are:
- MICA Architects Ltd (principal designer and architect)
 - Max Fordham LLP (building services engineer)
 - Trenton Fire Ltd (fire safety engineer)
 - AKS Ward Ltd (structural engineer and civil engineer)
 - Interface Facade Engineering Ltd (façade engineering)
 - Goddard Consulting LLP (health and safety consultants and advisors)
- 7.2 It is recommended that the other professional service contracts above are novated to the Council to undertake these final account activities.

8. ASSIGNMENT OF COMPLETED CONTRACTS

- 8.1 In addition to the live contracts, above, there are also a number of completed contracts that need will be assigned to the Council so that the Council has the benefit of any warranties or guarantees (as was always the intention).

- 8.2 The other contracts to be assigned are:
- All Foundations UK Ltd
 - GRP Safety
 - Roofglaze Ltd
 - Steelway Fensecure Ltd
 - Southdown (Construction) Metalwork Ltd
 - Centre Stage Engineering Ltd
 - Stage Electrics Partnerships Ltd
 - Camclad (Steelwork) Ltd
 - SERS Energy Solutions Ltd
 - Kirwin & Simpson Ltd
 - Vitrine Systems Ltd
 - Kingsley Roofing (London) Ltd
 - Elevators Ltd
 - Designer M&E Services UK Ltd

9. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 9.1 The long term commitments from the building works (warranties and guarantees) have always been envisioned to transfer from Brick by Brick to the Council upon practical completion of the refurbishment of Fairfield Halls.
- 9.2 Due to the changing financial position of the Council and the subsequent decision to halt the redevelopment of the College Green site, the legal and accounting position of the refurbishment shifted. Following the May Cabinet decision, the refurbishment has now be considered as a capital programme of the Council.
- 9.3 Novation of the live contracts from Brick by Brick to the Council will make the Council the client in regards to settling the final accounts, snagging, defects, warranties and guarantees. This will make any future repair and maintenance more straightforward to manage.

10. OPTIONS CONSIDERED AND REJECTED

- 10.1 From the outset of the project it was envisioned that the contracts would be assigned back to the Council after practical completion of the refurbishment. This follows good legal practice as the freeholder of the building. Therefore, other options have been considered and rejected. These options are:
- Terminate the contracts
 - Keep the contracts with Brick by Brick until practical completion

11. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

11.1 Revenue and Capital consequences of report recommendations

There is no specific budget provision for the actual and potential costs arising from the novation of these contracts from Brick by Brick to the Council. Under the arrangements that existed prior to the novation these costs would have been met by Brick by Brick who would have sought loan funding from the Council. There remains an existing capital budget provision for loan funding which it is proposed to vire to meet the costs arising from the novation.

11.2 The effect of the decision

Financial responsibility for the final accounting of the contracts, will transfer to the Council.

11.3 Risks

The final account of the Principal Contractor (Vinci) contract will continue to be assessed throughout the remaining life of the contract with assistance from the Contract Administrator (MICA), Quantity Surveyors (Chronos) and other professional services. There are claims under the contract to be settled as part of the final accounting process which are currently unconfirmed, therefore, a contingency budget has been included.

These costs are limited to the existing scope of works under the contract and excludes any additional works that maybe advised under the VFM review.

11.4 Options

Recommended to approve the novation of the contracts, detailed above.

11.5 Future savings/efficiencies

There are no proposed savings or efficiencies through this novation.

Approved by: Chris Buss Interim Director of Finance, Investment and Risk.

12. LEGAL CONSIDERATIONS

12.1 The Interim Head of Commercial & Property Law comments on behalf of the Interim Director of Law and Governance that the novation of the 'live' contracts will transfer all the rights and obligations under those contracts to the Council and release Brick by Brick from its obligations.

12.2 The recommended course of action is a lawful means for placing the Council in the best overall position to enforce warranties and guarantees and to carry out any additional works required (in compliance with procurement law as may apply depending on the nature and value of works to be carried out).

12.3 Cabinet previously agreed to the novation of the Fairfield Halls refurbishment contracts in principle (subject to review of the individual contracts, to be finalised and authorised by the Interim Executive Director of Place under

their delegated authority) on 17th May 2021. As explained in this report, due diligence work has been undertaken and the potential overall value of the novated contracts is beyond the remit of the Interim Executive Director of Place under their delegated authority and, as such, is recommended to Cabinet. The Council may exercise its general power pursuant to Section 1 of the Localism Act 2011 to make the decisions recommended in this report.

Approved by: Nigel Channer, Interim Head of Commercial & Property Law on behalf of the Interim Director of Law and Governance & Deputy Monitoring Officer

13. HUMAN RESOURCES IMPACT

- 13.1 There are no immediate human resources implications from this decision. If any should arise these will be managed under the Council's policies and procedures.

Approved by: Jennifer Sankar, Head of Place & Housing Department for and on behalf of Sue Moorman, Director of Human Resources

14. EQUALITIES IMPACT

- 14.1 There is no equalities impact from this decision.

Approved by: Gavin Hanford, Director of Policy and Partnership

15. ENVIRONMENTAL IMPACT

- 15.1 There is no environmental impact from this decision.

16. CRIME AND DISORDER REDUCTION IMPACT

- 16.1 There is no crime and disorder impact from this decision.

17. DATA PROTECTION IMPLICATIONS

- 17.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

Approved by: Sarah Hayward, Interim Executive Director of Place

CONTACT OFFICER: Robert Hunt, Interim Head of Assets & Involvement, ext 63309.

BACKGROUND DOCUMENTS: None

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REPORT TO:	CABINET 26 July 2021
SUBJECT:	Governance of Croydon Council Companies
LEAD OFFICER:	Asmat Hussain, Interim Executive Director, Resources Chris Buss, Interim Head of Finance Investment and Risk, s151 Officer
CABINET MEMBER:	Councillor Callton Young, Resources and Financial Governance
WARDS:	ALL
Report Summary	
This report is produced in the context of the Report in the Public Interest and the Croydon Renewal Plan and addresses the requirement for improved governance	
FINANCIAL IMPACT	
There is no financial impact arising from the recommendations of this report	
FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a Key Decision	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

The Cabinet is recommended to

- 1.1 Approve the establishment of a Croydon Companies' Supervision and Monitoring Panel (CCSMP) for the purposes and with the responsibilities described in this report.
- 1.2 Approve the appointment of the S151 Officer as chair of the CCSMP, with other permanent membership and invited attendees as described in this report.
- 1.3 Approve the Terms of Reference for the CCSMP set out at Appendix 2 to this report.
- 1.4 Delegate to the s151 Officer in consultation with the Council's Chief Executive the authority to approve the appointment and removal of Council nominated directors from the boards of Group entities in accordance with paragraph 3.5.2 of this report. Group is defined at paragraph 2.2 in this report.
- 1.5 Delegate to the s151 Officer the authority to make arrangements for company secretarial, accounting and administration in relation to the Group entities in accordance with paragraph 3.5.3 of this report.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to make recommendations for strategic oversight, supervision and monitoring to ensure good governance practice in relation to legal entities in which Croydon has, or may in future have, an ownership interest.
- 2.2 The Council has an ownership interest in a number of legal entities. The entities (together with any future entities in which the Council may acquire an interest) are collectively referred to as the 'Group' in this paper. The existing Group entities are listed at Appendix 1 to this report.
- 2.3 Good governance of the Group is an integral part of the governance arrangements of the Council, as these ventures may involve the expenditure of public money and the stewardship of public resources.
- 2.4 Recommendation 20 of the Report in the Public Interest suggests that: 'The Cabinet and Council should review its arrangements to govern its interest in subsidiaries, how the subsidiaries are linked, the long-term impact of the subsidiaries on the Council's financial position and how the Council's and taxpayers interest is safeguarded
- 2.5 Brick by Brick, although owned by the Council, will be the subject of a separate report in relation to its governance and is not included within the remit of this report's recommendations until otherwise determined. This is because of the special attention required to supervise and monitor the Council's interest in Brick By Brick, which is currently being monitored by the Shareholder & Investment Board along with regular reporting to Cabinet.

3. DETAIL

- 3.1 In response to recommendations made by the Report in the Public Interest as referred to above, a task and finish group (TAFG) was established to review the legal entities in which the Council has an ownership interest, including review of day to day reporting and administrative governance arrangements. The TAFG operates with the aim of ensuring that the Council implements appropriately open and transparent accountability on Group performance and that the Council's role as shareholder or member gives visibility to Cabinet and/or Council. The recommendations in this report are made as a consequence of work undertaken by the TAFG to date, however it should be noted that the TAFG is still undertaking due diligence. This due diligence includes reviewing companies that the Council does not have a subsidiary interest in but where Council officers participate as Directors, and there will be further reporting to Cabinet via the Chair of CCSMP in respect of any associated risks.
- 3.2 The entities currently comprising the Group fall within the following types:
 - Private company limited by guarantee. The liability of the owners (members) on winding up the company is limited to the (usually nominal) amount stated in the company's articles. It is commonly used for not-for-profit companies;
 - Private company limited by shares. The liability of owners (the

shareholders) is limited to the amount, if any, unpaid on the shares which cannot be publicly traded.

- Limited Liability Partnership. Can only be used by profit-making businesses. Members (partners) are only liable for the amount of money they invest, plus any personal guarantees. (Croydon's interest in LLPs relates to Croydon Affordable Homes and is held via a holding company).

3.3 The Group can be broadly characterised, in terms of purpose, as follows:

- Entities established to trade. Under the Local Government Act 2003 and Localism Act 2011, the Council's power to trade must be exercised through a company. Octavo Partnership Ltd and Yourcare (Croydon) Limited were established for these purposes, however decisions have enabled the process to commence for dissolution of these companies (last year in respect of Octavo and, more recently, following a Cabinet decision for Yourcare).
- Entities either established by the Council or in which the Council participates as a member, where the primary purpose is to carry out non-trading functions eg affordable homes provision, access to homelessness provision.

3.4 Until now Croydon's establishment of, or participation in, Group entities has been service led and involved an initial report to Cabinet followed by reporting on an individual company basis. There is a lack of co-ordination and consistency in terms of the strategic oversight, governance, monitoring, reporting and company administration arrangements across the Group. There are no clear corporate guidelines on the steps to be taken and considerations relating to the Council establishing or taking an ownership interest in new legal entities. The result of this is an absence of oversight on behalf of the Council and failure to ensure that the basics of Company management are undertaken.

3.5 In order to address this it is recommended that:

3.5.1 a Croydon Companies Supervision and Monitoring Panel (CCSMP) be established. Meetings of the CCSMP would:

- Be held at least quarterly (with the first such meeting to be held within two months of Cabinet approval of this report's recommendations)
- Be chaired by the S151 Officer with permanent support from the Director of Law and Governance, Monitoring Officer and Director of Commercial Investment and Capital
- Be attended by Council nominated directors and member representatives for each Group entity and other officers as may be invited from time to time
- Formally report and, if appropriate, make recommendations (via the Chair) to Cabinet on a biannual (at minimum) basis and brief relevant Cabinet Members frequently between formal reporting to Cabinet
- Operate according to the terms of reference (ToR) as set out at Appendix 2 which include principles of good governance practice

3.5.2 the Chair of the CCSMP in consultation with the Council's Chief Executive be delegated the authority to appoint and to remove Council nominated directors from the boards of Group entities subject to different arrangements being in

place. Any such appointments or removals will be notified as part of the next scheduled report to Cabinet of the CCSMP.

- 3.5.3 the Chair of the CCSMP be delegated the authority to make company secretarial, administration and accounting arrangements for a Group entity (including through procurement) where there is no existing provision for such services to be carried out. Any such arrangements implemented will be notified as part of the next scheduled report to Cabinet of the CCSMP
- 3.6 The principles of good governance forming part of the ToR will help to ensure:
- Stewardship of assets
 - Upholding legal duties
 - Understanding Group entity performance
 - Understanding of the external environment
 - Effective governance of the Group entity
 - Effective governance of the Group
- 3.7 Although Brick By Brick will have separate reporting and governance arrangements, when CCSMP reports to Cabinet, Cabinet will also be asked to note the reports presented separately on Brick By Brick to ensure holistic consideration of the Council's Group entities.

4. CONSULTATION

- 4.1 The TAFG set up to review and make recommendations in respect of governance in relation to the Council's Group is chaired by the Interim Executive Director, Resources and Deputy DMO, supported by the interim s151 officer and representatives from Legal Services, Finance and the PMO. There has been engagement with the Improvement and Assurance Panel, Resources DLT and ELT. As part of undertaking due diligence, the TAFG has been meeting with Council directors of the Group entities

5 PRE-DECISION SCRUTINY

- 5.1 This report has not been referred to Overview and Scrutiny Committee prior to being presented to Cabinet but is subject to referral by the requisite number of Councillors.

6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 There are no immediate financial consequences arising directly from the report, however future recommendations of the CCSMP may give rise to financial implications, such as a recommendation to procure company secretarial and/or company accounting functions for the Group entities. Any such implications will be addressed in relevant reports to Cabinet of the CCSMP
- 6.2 The Current arrangements have led to the fact that in some cases statutory returns have not been made to Companies House and HMRC leading to additional costs through penalties and potential prosecutions and the striking off

of entities.

6.3 The effect of the decision

The decision will enable the Council to implement strategic oversight along with consistent and good governance practice across the Council's Group.

6.4 Risks

There are no risks associated with the recommendations

6.5 Options

Please see paragraph 13

6.6 Future savings/efficiencies

The proposals should enable the Council to act more dynamically and strategically in response to issues or concerns affecting Group entities, preventing or mitigating against procedural or financial failures.

Approved by: Chris Buss, Interim Director of Finance, Investment & Risk and s151 Officer

7. LEGAL CONSIDERATIONS

7.1 The Head of Commercial and Property Law comments on behalf of the Director of Law and Governance that there are no additional legal considerations arising from this report.

Approved by Nigel Channer, Interim Head of Commercial and Property Law on behalf of the Interim Director of Law and Governance & Deputy Monitoring Officer

8. HUMAN RESOURCES IMPACT

8.1 There are no immediate HR considerations arising from this report for Croydon Council employees or staff. If any should arise, these will be managed under the Council's policies and procedures.

Approved by: Gillian Bevan, Head of HR (Resources) on behalf of the Director of Human Resources

9. EQUALITIES IMPACT

9.1 The proposed changes reflected in the recommendations are designed to improve the Council's internal processes for governance of legal entities in which it has an ownership interest. The nature of such proposals will be neutral in terms of impact on groups that share protected characteristics

Approved by: Yvonne Okiyo, Equalities Manager

10. ENVIRONMENTAL IMPACT

10.1 There are no environmental impacts arising from this report

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 There are no crime and disorder impacts arising from this report

12. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

12.1 The report makes recommendations for good Council governance practice in relation to legal entities in which Croydon has, or may in future have, an ownership interest.

13. OPTIONS CONSIDERED AND REJECTED

13.1 Alternative options are:

Do Nothing – this will not address the findings and recommendations of the Report in the Public Interest and fails to implement improved governance practice.

Not recommended

13.2 **Establish a Cabinet sub-committee in place of the proposed CCSMP**

Advantages

- Ensures full Member oversight and involvement from an early stage
- Helps ensure Member accountability for decisions made
- Enables Members to take account of wider Policy and corporate priorities in formulating recommendations for Cabinet

Disadvantages

- Members risk becoming too involved in operational matters
- Risks becoming a de-facto decision making body and subject to rigorous governance in that regard (e.g. Access to information regulations) and may give rise to a risk or perception of predetermination.
- Senior Officers will still require / need a separate forum to meet to discuss matters before presenting to the sub-committee thus doubling up on resources.
- Risks blurring of Officer / Member roles
- Can be more difficult to convene at short notice where urgency is required

Not recommended

13.3 **Establish Individual Supervising and Monitoring Groups (or equivalent) for Individual Group Entities**

Advantage: Closer oversight of individual Group entities

Disadvantages:

- Resource intensive and does not provide the oversight function across the Group
- CCSMP does not prevent closer oversight being established on a case by case basis. This is currently the case with BBB which is therefore currently outside of the remit of the CCSMP and this report. However, depending on decisions to be made concerning BBB, a decision may be made to transfer oversight of that company to the CCSMP in future.

Not recommended

14. DATA PROTECTION IMPLICATIONS

14.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

NO

14.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

The Interim Director, Resources comments that the implementation of proposals to establish a CCSMP does not involve the processing of personal data.

Approved by: Asmat Hussain, Executive Director, Resources

CONTACT OFFICER:	Asmat Hussain, Executive Director Resources (Interim)
APPENDICES TO THIS REPORT:	Appendix 1 Group entities Appendix 2 Terms of reference
BACKGROUND PAPERS:	None

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Appendix 1

Company Name	Company No. Directors	Company status	Date of Incorporation	Services Provided/ Purpose	Council's percentage shareholding (NB if not 100%, describe how council exercises rights e.g. golden shares)
52-54 CORDREY GARDENS (FREEHOLD) LTD	4112000 YEMOH, Valerie	Private limited company	21-Nov-00	99999 - Dormant Company 41100 - Development of building projects 41201 - Construction of commercial buildings 41202 - Construction of domestic buildings	
BRICK BY BRICK CROYDON LIMITED	O'DONNELL, Ian Francis George 9578014 WHITFIELD, Duncan Graham	Private limited company Private company limited by guarantee without share capital	06-May-15	68100 - Buying and selling of own real estate 68201 - Renting and operating of Housing Association real estate 17/12/18 68209 - Other letting and operating of own or leased real estate	100%
CAPITAL LETTERS (LONDON) LIMITED	11729699 MURRAY, Yvonne (and several other non-Council Directors)				
CROYDON AFFORDABLE DWELLINGS LLP *CAH linked company	CROYDON AFFORDABLE HOUSING (LLP Member) OC424671 LONDON BOROUGH OF CROYDON HOLDINGS LLP (LLP Member)	Limited Liability Partnership	30-Oct-18	Independent LLP – Properties purchased from Brick by Brick	10%
CROYDON AFFORDABLE HOMES LLP *CAH linked company	CROYDON AFFORDABLE HOUSING (LLP Member) OC419596 LONDON BOROUGH OF CROYDON HOLDINGS LLP (LLP Member)	Limited Liability Partnership	20-Oct-17	Independent LLP – 96 former ETA	10%
CROYDON AFFORDABLE HOMES (TABERNER HOUSE) LLP *CAH linked company	CROYDON AFFORDABLE HOUSING (LLP Member) OC420058 LONDON BOROUGH OF CROYDON HOLDINGS LLP (LLP Member)	Limited Liability Partnership	24-Nov-17	Independent LLP - Block 2 Taberner house - affordable housing element	10%
CROYDON AFFORDABLE TENURES LLP *CAH linked company	CROYDON AFFORDABLE HOUSING (LLP Member) OC423791 LONDON BOROUGH OF CROYDON HOLDINGS LLP (LLP Member)	Limited liability partnership	16-Aug-18	Independent LLP – 250 newly purchased	10%
CROYDON CENTRAL MANAGEMENT COMPANY *Taberner House linked company	11088383 BUSS, Christopher	Private limited Company	29-Nov-17	68320 - Management of real estate on a fee or contract basis	100%
CROYDON HOLDINGS LIMITED *CAH linked company	10999104 BUSS, Christopher	Private limited Company	05-Oct-17	64209 - Activities of other holding companies not elsewhere classified	Ownership of shares – 75% or more
CROYDON TH LTD *Taberner House linked company	11781430 BUSS, Christopher	Private limited Company	22-Jan-19	82990 - Other business support service activities not elsewhere classified	100%
CROYDON TH COMMERCIAL LTD *Taberner House linked company	11781424 BUSS, Christopher	Private limited Company	22-Jan-19	82990 - Other business support service activities not elsewhere classified	100%
LONDON BOROUGH OF CROYDON HOLDINGS LLP *CAH linked company	CROYDON HOLDINGS LIMITED THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF OC419595 CROYDON	Limited liability partnership			99% (The other 1% is Croydon Holdings Ltd) 75% or more (In Its Capacity As The Administering Authority Of The Croydon Pension Fund)
LONDON BOROUGH OF CROYDON PENSION NOMINEE 1 LIMITED	COOK, Nigel 12356941 MOORMAN, Sue	Private limited Company	10-Dec-19	96090 - Other service activities not elsewhere classified	75% or more (In Its Capacity As The Administering Authority Of The Croydon Pension Fund)
LONDON BOROUGH OF CROYDON PENSION NOMINEE 2 LIMITED	COOK, Nigel 12356944 MOORMAN, Sue	Private limited Company	10-Dec-19	96090 - Other service activities not elsewhere classified	75% or more (In Its Capacity As The Administering Authority Of The Croydon Pension Fund)
OCTAVO PARTNERSHIP LIMITED *In the process of being wound up	BAILEY, Sarah Helen DRY, Nicholas Thomas LJUMOVIC, Anna LONSDALE, Christine (Council) 9140379 MOORMAN, Susan Hilary (Council)	Private company limited by guarantee without share capital	21/07/14	85600 - Educational support services	Croydon (40%) Croydon Head Teacher's Association (40%), School Staff Members (20%)
YOURCARE (CROYDON) LIMITED *To be wound up following Cabinet decision 07.06.21	KOUASSI, Paul Brice MCPARTLAND, Annette PETERS, Mirella Miranda 10809317 SONI, Rachel	Private limited Company	08-Jun-17	incl. hearing aids) not elsewhere classified 47190 - Other retail sale in non-specialised stores 47749 - Retail sale of medical and orthopaedic goods in specialised stores (not	100%

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CCSMP Terms of Reference

Section A

Role

To ensure that the Council's strategic and good governance objectives are met across the Group and to support the development of the Group in line with the Council's regulations and ambitions. Commercially sensitive information provided to the CCSMP will not be available for publishing.

Membership

S151 Officer (Chair)
Director of Law and Governance; Monitoring Officer
Director of Commercial Investment and Capital

Meetings and reporting

Meetings of the CCSMP will be held quarterly or more frequently as required, the first such meeting to be held within two months of Cabinet approving these Terms of Reference

Council nominated directors, member representatives and other senior managers as relevant will be invited to attend meetings

The CCSMP will via the Chair report to Cabinet on a biannual basis at minimum and make recommendations as appropriate. The Chair shall frequently brief relevant Cabinet Members between formal reporting to Cabinet. CCSMP is not authorised to make decisions in relation to any Group entity, however the Chair has authority to make decisions specifically delegated by Cabinet, subject to any superseding decisions and/or changes to the Council's constitution.

Responsibilities

Responsibilities include:

- Embedding principles of good governance as referenced in Section B of these Terms of Reference, including by making recommendations via the Chair for the Council's constitution to be amended to reflect the role of CCSMP and recommended corporate protocols, such item to be on the agenda for the first meeting of the CCSMP
- Supporting the development of Group entities and the Group
- Monitoring financial and other risks for the individual companies and together as Group entities
- Ensuring that the legal and commercial interests of the Council as

shareholder/member are considered and protected through formal structures such as shareholder agreements and loan agreements

- Making proposals via the Chair to the Council's Cabinet on the formation / disposal / dissolution of companies and matters, such as varying Articles of Association, varying ownership and structure and varying share rights
- Holding entity boards and Senior Managers to account for their performance

In fulfilling its responsibilities the CCSMP will:

- Receive reports on the performance of the Group, against their Business Plans including Annual Shareholder Reports.
- Receive analysis of the business of the Group including:
 - Management accounts
 - Key commercial and legal risks
 - KPIs in the business plans
 - Investment analytics
- Identify Group entities' business support requirements
- Provide Group entities with clear direction and support in its role as shareholder
- Evaluate effectiveness of Group entity board governance structure and processes and recommend changes as required, including with a view to achieving diversity, skill set, sectoral knowledge and appropriate representation
- Review business plans and strategies of the entities to ensure alignment with the Council's strategic direction
- Oversee compliance:
 - to ensure that taxation, legal and financial interests of the Council are considered and protected
 - with procurement regulations
 - with appropriate business ethics including in respect of potential conflicts of interest
- Ensure that risk relating to the entities is at a suitable level for the Council to bear
- Receive updates and training in respect of best practice for company governance and associated matters
- Where appropriate make recommendations to Cabinet via the Chair for interim measures to be implemented

Section B

Principles of Good Governance

- ❖ The Group entity will be provided with the freedoms to achieve its commercial and operational objectives.
- ❖ The Council will retain controls which enable it to protect its investment and ensure that its objectives are met.
- ❖ Appropriate business ethics will be enforced so that decisions are taken for the benefit of the individual Group entity and the Council, taking into account the Group, with directors acting for their company, and the CCSMP acting for the Council and Group. Any interests (including competing interests between the Council and Group entity, or between Group entities) will be formally recognised and controlled
- ❖ Information will flow between the Council and the Group entity to ensure that mutual understanding and shareholder / company objectives are maintained. In particular the Council should:
 - set out its objectives and priorities at the outset and keep these under review – any changes will be timely, proportionate, commercially realistic and part of the annual review
 - define and communicate clear roles for its representatives who meet with the Company and these meetings will have an agenda and be minuted;
 - engage with the Company to understand, record and analyse the unit costs of the entity's deliverables as key performance indicators (KPIs) and its effect on Council and Group KPIs (incorporating factors such as interest payments, tax savings, business rates, savings/contributions on connected council activities and effect on the economy), companies will be reviewed annually – these reviews together with triennial reviews will be a mechanism for considering change in investment and funding.
 - engage with the Group entity to understand and support it in relation to resourcing, including staffing, working capital, the investment cycle, cashflow, and retained profits.
 - maintain a joint risk register to ensure risks are managed across the Group, and engage with the entity to plan assurance requirements.
 - set out clear and consistent processes with commercial timescales for key decisions such as loans.
 - ensure that commercial confidentiality of sensitive information is maintained and agree a non-disclosure agreement where appropriate.

And the Group entity

- will engage with the Council in a timely fashion, keeping it well informed, where it requires funding or other support from the Council
- will communicate any commercial timescales and sensitivities
- will provide the information required in its agreements with the Council as part of its normal reporting cycle
- will engage effectively with the Council's assurance providers

- ❖ Directors of the Group entity must act for the entity, declaring and avoiding any actual or apparent conflict of interest. The Group entity should have skills appropriate to the sector and roles. To ensure this is achieved the Board should have mandatory training including induction, an annual training programme and guidance notes. An annual skills audit and triennial independent review should be used to support the entity Board and identify appropriate external expertise
- ❖ Council nominated directors and member representatives to receive mandatory training on an annual basis and appropriate indemnity arrangements to be ensured

When Forming or Financing a Company

The Council, in forming or financing a company, will set in place controls to enable it to protect its investment and achieve its objectives.

Initially:

- The Council is required to consider a business case and risk analysis in deciding whether the entity should be established and proceed to trade.
- The Council has the right to appoint board members.
- Participation in any legal entity will require approval by Cabinet following recommendation by the Chair of CCSMP
- A shareholder's or member's agreement can be used to set out decisions which the company directors can only make with approval or oversight of the Council. These might include
 - the right to approve substantial changes in the company's business plan.
 - monitoring and evaluation of company reporting. (There is a need to ensure that that 'advice' does not extend to any form of management of the company)
 - Access to information, financial reporting and monitoring provision is required eg to ensure that commercial agreements such as loans and service contracts are adhered to.

REPORT TO:	Cabinet 26 July 2021
SUBJECT:	Financial Performance Report – Month 2 May 2021
LEAD OFFICER:	Chris Buss, Interim Director of Finance , Investment and Risk (S151 Officer)

SUMMARY OF REPORT:

This report provides the Council's annual forecast as at Month 2 (May 2021) for the Council's General Fund (GF), Housing Revenue Account (HRA) and the capital programme. The report forms part of the Council's financial management process of publically reporting financial performance against its budgets on a monthly basis.

FINANCIAL IMPACT

The Month 2 position is currently indicating a gross overspend of £4.034m against budget (net £0.583m adverse variance after release of £3.451m covid reserve) – this represents a £0.583m net variance against the Period 1 forecast. This is before taking into account further risks and compensating mitigations which may materialise if not managed. In total, £11.841m (Month 1 £11.653) of further risks (of which £1.670m relates to approved savings risks) are identified against which £8.748m of potential opportunities are identified and set out in the body of the report. Section 3 details these risks and risk mitigations and further discusses the impact on the General Fund if these were to materialise.

The HRA is indicating an overspend of £1.595m (Month 1 £2.117m) against budget. This overspend is further detailed within Section 3 of the report.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

Cabinet are asked to

- 1.1 Note the General Fund is projecting a net adverse movement of £0.583m from Period 1. Service departments are indicating a £4.034m overspend with this being netted of against £3.451m release of a one off Covid Grant confirmed to Croydon Council for 21/22 by MHCLG as part of the Local Government Finance Settlement;
- 1.2 Note that a further number of risks and compensating opportunities may materialise which would see the forecast year-end variance change and these are reported within Section 3 of this report. Should these risks materialise or the mitigations not be effective the Council could overspend by £3.676m;

- 1.3 Note the Housing Revenue Account (HRA) is projecting a £1.595m overspend for 2021/22. If no further mitigations are found to reduce this overspend the HRA will need to drawdown reserves from HRA balances;
- 1.4 Note the capital spend to date for the General Fund of £3.071m (against a budget of £176.005m) and for the HRA of £5.701m (against a budget of £127.412m);
- 1.5 Note, the above figures are predicated on forecasts from Month 2 to the year end and therefore could be subject to change as forecasts are refined and new and updated information is provided on a monthly basis. Forecasts are made based on the best available information at this time; and
- 1.6 Note that whilst the Section 114 notice has formally been lifted, the internal controls established as part of the S114, such as the Spend Control Panel remain. However, restrictions have been lifted for ring-fenced accounts such as the Pensions Fund, Housing Revenue Account and Coroner's Costs as these do not impact on the financial position of the General Fund. The Spending Control Panel which was set up at the beginning of November 2020 continues to meet on a twice daily basis.

2. EXECUTIVE SUMMARY

- 2.1. This reports sets out the Council's current General Fund revenue budget projected outturn for the full year as at Month 2, May 2021.
- 2.2. The forecast General Fund revenue forecast has deteriorated by £0.583m from a net nil position (after utilisation of £3.451m covid grant reserve) in Period 1 . As would be expected, the identification of options to mitigate these service overspends tend to follow from the identification of pressures and it is expected and required that services formulate plans to address these overspends over the coming month.
- 2.3. Further risks and opportunities not yet sufficiently developed to be included in the forecast itself of a net £3.093m have been identified (risks £11.841m and opportunities of £8.748m) if all materialising would increase the forecast overspend to £3.676m, without further drawdown of covid grant related reserves.
- 2.4. The Housing Revenue Account is forecasting an overspend of £1.595m (a reduction of £0.522m on the previously forecast £2.117m). This projected variance impacts on HRA balances rather than GF reserves.
- 2.5. The capital programme for both the General Fund and HRA is reporting a spend to date of £8.772m against overall budget of £303.417m
- 2.6. This is the second financial monthly Cabinet update report for the 2021/22 financial year. This is the first time the Council is reporting on a monthly basis to Cabinet.

- 2.7. The Financial Performance Report (FPR) which will continue to be presented to each Cabinet meeting provides a detailed breakdown of the Council's financial position and the challenges it faces. It covers the GF, HRA and capital programme and ensures there is transparency in our financial position, enables scrutiny by both members and the public, and offers reassurance as regards the commitment by chief officers to more effective financial management and disciplines.
- 2.8. The 2020/21 financial year was a very difficult year for the Council. The former Director for Finance, Risk and Insurance (Section 151 Officer) had to issue the Council's very first S114 notice in November 2020.
- 2.9. A further S114 notice was issued on the 2 December 2020 as the Council continued to have an unbalance budget. Since 8th March 2021 the S114 notice has been lifted as the Council received confirmation of a Capitalisation Direction from MHCLG of up to £70m for 2020/21 and £50m for 2021/22.
- 2.10. The Council has had the benefit of a number of recommendations from various stakeholders and scrutiny panels such as the external auditor's Report in the Public Interest. These recommendations have been taken on board and the Croydon Renewal Plan has been developed which will over the medium term financial strategy period restore the Council's finances to balance and develop a more effective system of internal control.
- 2.11. This report forms part of the reporting framework on the delivery of the Croydon Renewal Plan by ensuring the delivery of the council's budget is reported monthly and transparently.
- 2.12. The Council is still working with the external auditors on finalising the 2019/20 audit of accounts however the 20/21 Outturn has now been presented to Cabinet on 12th July 2021 based around their findings.

3. FINANCIAL POSITION

- 3.1. The FPR shows that the Council is forecast to have a General Fund net variance of £0.583m (after drawing down on £3.451m of covid-related grant reserves – a worsening of £0.583m on the net forecast reported at Period 1 (before additional risks and mitigations), whilst the HRA is projecting a £1.595m overspend before risks mitigations. The current financial forecast is based on the known position at the time of writing this report. It is important that cabinet is aware of the much higher profile that the process has within the Council with iterations of the report going through a range of formal officer meetings including directorate meetings, Executive Leadership team and informal meetings with lead members.
- 3.2. Work is ongoing in departments to review the forecast position for each area and MTFs savings and risks to reduce any overspends and identify further options to mitigate these. Further details and options identified will form part of the month 3 report.

3.3. In 2020/21 the monitoring forecasts presented details of Covid funding that the Council had received from Central Government, however the Government has not provided any further indication that it seeks to continue to fund Local Government in relation to Covid pressures and thus this section has been removed from 2021/22.

3.4. The position of the General Fund is shown below in Table 1.

Table 1 – Month 2 Projection per Directorate

	Month 2	Month 1	Month 1		
	Forecast Variance	Forecast Variance From Previous month	Change from previous month	Savings Non-Delivery	Other Pressures
	(£,000's)	(£,000's)	(£,000's)	(£,000's)	(£,000's)
Children's Families and Education	-	-		-	-
Health, Wellbeing and Adults	(169)	1,600	(1,769)	-	(169)
Gateway & Housing	234	-	234	-	234
Place	3,944	1,043	2,901	-	3,944
Resources	25	808	(783)	-	25
Departmental Total	4,034	3,451	583	-	4,034
Corporate Items	(3,451)	(3,451)	-	-	(3,451)
Total General Fund	583	-	583	-	583

3.5. Net overspends and underspends within the services budgets are presented as forecast variance (as per Table 1), and are additionally classified as either non-delivery of agreed savings or other pressures. Non-delivery of savings relates to non-achievement of the approved MTFs savings whilst other pressures are as a result of new and external pressures not previously provided for within the Council's 21/22 Budget. Further explanations of these over spends are provided within Section 4 of this report.

3.6 Month 2 has seen an adverse movement within service area budgets of £0.583m – without further utilisation of covid reserves already earmarked for use in the Period 1 position this represents an overall forecast overspend against a balanced budget. The main areas that this relates to is as follows:

- Adults, Health and Social Care (£1.8m) **favourable** movement due to department being able to manage and mitigate the Transitions service overspend;
- Place (£2.9m) **adverse** movement in relation to pressures in Parking, SEN transport costs and the Selective Licencing Scheme;

- Resources (£0.8m) **favourable** movement, principally related to staffing savings / vacancies identified as part of mitigating actions along with £150k of Sandilands Inquest costs being met from a specific reserve established as part of 2020/21 closing; and
- Housing and Gateway (£0.2m) **adverse** movement, forecast pressures on homelessness budgets in anticipation of restrictions on evictions coming to an end offset by £0.3m of staff savings across resident access budgets.

Further details can be found in section 4 of this report.

Risks and Risk mitigations

- 3.7 As mentioned within paragraph 3.1 the forecast has been reported excluding further potential risks and risk mitigations. Risks and Risk mitigations are split into quantified and unquantified items.
- 3.8 As with the forecast set out in Table 1 risks are separately reported for those elements that relate to potential under-delivery of approved savings, and those that are new and not directly related to agreed savings plans.
- 3.9 Table 2a below provides for details of MTFS savings at risk with a brief commentary of the projects that are at risk of delivery and Table 2b provides a list of quantified and unquantified other risks. The savings are subject to a separate assurance process involving both the Chief executive and the Section 151 officer meeting with the directorates and the director of policy and programmes, the most recent of these was in early July. This identifies savings at risk and mitigations for both the current and future years. Where risks are quantified currently, these are based on high level information and departmental experiences of the service. At this stage, services are sufficiently confident in being able to manage or mitigate these risks that they are not included as part of the present forecast year-end position. However, the figure has been provided to indicate to Cabinet the likely financial impact on the budget and therefore the need to take action to deal with the risk should they materialise.

Table 2a – MTFS Savings Risk

MTFS Savings Ref	MTFS Savings Description	Savings at risk Month 2 (£,000's)	Savings at risk Month 1 (£,000's)	Change From Prior Month (£,000's)
CFE Sav 03	Reconfiguration of Adolescent Services	166	200	(34)
CFE Sav 07	Improve Practice System Efficiency	177	177	-
CFE Sav 09	Review Children's Centres Delivery Model	223	223	-
CFE Sav 14	Cease Family Group Conference Service	60	60	-
CFE Sav 10	Additional Education Savings	15	16	(1)
CFE Sav 17c	Release of one off Investment from prior years	13	0	13
Children, Families and Education Total		654	676	(22)
HWA Sav 17	Contact centre and Access Croydon: Reduction in line management	87		87
HWA Sav 21	Reduction in Welfare Rights (PLAN B - deletion of service)	112		112
Housing Total		199	-	199
Adults, Health and Social Care Total		-	-	-
PLA Sav 08	Public Protection and Licensing Highways & Parking Services merger	50		50
PLA Sav 13	Public Protection and Licensing - Discontinue providing a night time noise service.	13	50	(37)
PLA Sav 24	Parking charges increase 30p/30min	754	11	743
Place Total		817	61	756
Resources Total		-	-	-
Total Savings at Risk		1,670	737	933

Data above taken from Savings Tracker 8th July 2021

3.10 Table 2a indicates that there are potential £1.670m worth of savings (£0.737m in Month 1) that may not be achieved, however services are currently carrying out further work to ensure these can be delivered or otherwise mitigated. So far no specific mitigations have been fully identified. Directorates are working up proposals to bring these savings at risk back on track.

- 3.11 Future FPR reports will update progress on these savings at risk. If these savings are deemed to be definitely non-deliverable they will be factored into the monthly forecast and incorporated into the forecast outturn position provided in Table 1. The services have been instructed to find mitigations for all savings that cannot be delivered to meet their budgetary total per directorate.
- 3.12 Section 4 gives details of all the movements between Month 1 and month 2 and identifies and movements in delivery of MTFs savings, risks and mitigating items that are factored into the forecast assumptions.

Table 2b – Other quantifiable and unquantifiable risks

Quantified Risks	£'000	£'000	Details of Risk
	P2	P1	
CFE	4,963	5,113	£4,571k - Asylum Seekers £232k - CSC Staffing Pressure £160k - Education service for schools (Covid impact on income generation)
Adults, Health and Social Care	700	700	£700k - Transitions - value of late prior year payments based on 20/21
Housing	1,232	2,560	Demand for Emergency/Temporary Accommodation likely to increase.
Place	1,500	2,253	SEN Travel - No Travel Training occurring currently and this could impact - current estimates are based on 10% of the overall £2m being at risk, and also the impact on the supplier relief programme of discounts on early payment being at risk. £1m parking penalties at risk relating to notices issued and collection rates.
Resources	1,776		£1.442m - Establishment Gap
		290	334k - Complaints recharges of £334k in Revenue and Benefits (£290k + £44k)
Total Quantified Risks	10,171	10,916	
Un-Quantified Risks			
CFE			Children Social Care -Placement costs – validation of growth approved currently being completed
Adults, Health and Social Care			TBC - Impact of long Covid - not quantifiable at this stage TBC - Potential for further NHS funding for Covid depending on 3rd wave impact - not known at this stage
Housing			Housing Additional unquantified risk related to landlord eviction ban being lifted at the end of May 2021 leading to a significant increase in demand for homeless services.
Place			Waste Collection and Street Cleansing. We have not received April's invoice yet from Veolia and it is expected that the pressure will relate to inflation which is likely to be above the corporate inflationary provision TBC - Waste Collection and Street Cleansing Contract - Income Risk to Commercial Waste Income Collection in 20/21

			due to COVID & 21/22 - under commercial dialogue with Veolia
			TBC - Utilities costs to be higher than forecast
			TBC - Further tenants are not able to pay rental income and will need to be written off, or will give notice on leases
Resources			TBC - Covid meaning shortfalls in Revenue and Benefits income budgets, mainly Court Costs
			TBC - HR Staff Loans holding account balance written off
			TBC - Under-achievement of legal income budgets (although internal income would be matched by reduced forecasts costs in departments been charged)
			TBC - Recruitment of Head of Leaders Office tied to corporate restructure. If corporate restructure further delayed underspends to compensate may not be achievable
Corporate			

3.13 Table 3 provide a list of quantified and unquantified risk mitigations. These are potential risk mitigations that will require further assurance to be included within the forecast. Services managers have identified these as potential mitigations to the risks identified Tables 2a and 2b. Any additional risk mitigations also help the overall financial position of the Council as these would help generate a larger underspend that can be put away into reserves to support future MTFS gaps.

Table 3 - Quantifiable and unquantifiable risk mitigations

Quantified Opportunities	P2 £'000	P1 £'000	
CFE	(312)	(312)	Staffing underspend due to reduction in posts identified as part of the January VR scheme. Exists were not confirmed until after the Budget for 21/22 was set.
Adults, Health and Social Care	(73)	(73)	Staffing underspend due to reduction in posts identified as part of the January VR scheme. Exists were not confirmed until after the Budget for 21/22 was set.
Housing	-		
Place	(422)	(422)	Staffing underspend due to reduction in posts identified as part of the January VR scheme. Exists were not confirmed until after the Budget for 21/22 was set.
Resources	(142)	(142)	Staffing underspend due to reduction in posts identified as part of the January VR scheme. Exists were not confirmed until after the Budget for 21/22 was set.
Corporate	(7,799)	(7,799)	Covid Grant
Total Quantified Opportunities	(8,748)	(8,748)	

Un-Quantified Opportunities			
CFE			None
HWA			None
Place			Highways - Highways are speaking to FM to negotiate the cost pressure Street Lighting Team liaising with Commissioning & Procurement to consider options to mitigate the risks
Resources			Revs and Benefits - Recharge to HRA for some Complaints costs to bring income to GF.
Corporate			None

3.14 As at Month 2, if all risks and risk mitigations were to materialise, along with the forecast reported in Table 1 the General Fund would overspend by £3.676m. However, budget holders at this stage of the financial year tend to be over cautious in terms of identifying potential underspend whilst being more aware of budget pressures. The situation will be clarified as the year progresses and the monthly budget reports show more detail on the patterns of income and expenditure and the longer term impact of Covid on Council services becomes clearer. Service managers have been instructed to identify and implement mitigations to spend within their approved funding envelopes. As such compensating measures are developed the impact of the net risks is expected to decline. Successful examples of this are the positive variances in adult social care & Resources between months 1 and 2.

- 3.15 A number of the projected variances or risks relate to the continued impact of the Covid pandemic and would not be expected to continue for the whole year or over future years. In particular parking and traffic income continues to be affected for which part grant compensation is only receivable for the first quarter of 2021/22. Other pressures such as SEN costs (with no grant funding) have been impacted in delays in delivering travel training impacting on transport cost pressures.
- 3.16 A number of the adverse variances have the potential to have ongoing impacts into future years, and in particular the SEN pressures and Selective Licensing scheme budgets. These impacts will be incorporated into the ongoing work to develop the budgets for 2022/23 and the next Medium Term Financial Strategy.

4 SERVICE VARIANCE DETAIL

4.1 Children, Families and Education (CFE)

Summary

The CFE directorate is forecasting a nil variance for Month 2 (unchanged from Period 1). This is a net position after factoring all budgeted income and expenditure within the directorate.

Whilst the forecast is nil the Directorate is indicating potential risks that could result in a potential overspend. Table 2a details MTFs savings, totaling £0.654m, that are at risk of non-delivery. Furthermore, Table 2b indicates that there is a further £4.963m of other risks which could materialise through this financial year and Table 3 is projecting an opportunity of £0.312m.

Both MTFs risks and further risks have moved favorably by £0.172m due to the savings being absorbed and ongoing work to ensure delivery.

4.2 Adults, Health and Social Care

Summary

The HWA directorate are forecasting a small underspend of £0.169m (an improvement of £1.769m from Period 1).

Whilst the department is showing a slight underspend, table 2b identifies and a further £0.700m of potential additional risks. Some of these risks can potentially be mitigated only partly by the £0.073m in relation to staff underspend due to the January VR scheme.

The risks identified of £0.700m that relate to transitions have not moved since the last report and still remain the same.

4.3 Housing

Housing Directorate is forecasting an overspend of £0.234m.

Demand for Emergency Accommodation is assumed to increase due to the eviction ban lifting at the end of May 2021. The prediction is an influx of around 70 households will be seen initially as a result of current legal proceedings. On this basis the predicted overspend across the homelessness service is £0.529m at period 2 monitoring.

Gateway Services are forecasting an underspend of (£0.295m) due to in year vacancy savings in Resident Access.

Furthermore the service is projecting £0.199m risk of non-delivery of savings as per table 2a. These have been identified as a result of more detailed monitoring being carried out at month 2 and are being explored further to see if they can be delivered or other savings identified to mitigate these. A further £1.232m of other risk is identified within this portfolio relating to potential further temporary accommodation pressures emerging. Net risks identified for this service have fallen by £1.129m from Period 1).

4.4 Place

Summary

The Place directorate is forecasting a net overspend of £3.944m – an increase of £2.901m from Period 1. This overspend relates to a number of items the most significant of which are further detailed below:

- **Highways overspend of £0.400m** - Street Lighting additional electricity charges due to revised rates within the new contract above inflationary increases projected;
- **Environmental Services overspend of £0.749m** - Disposal Contract due to an increase in Residual Waste Tonnage & property growth not factored in budget and unachievable events in parks income due to the impact of Covid;
- **Licensing overspend of £0.166m** - Shortfall in Surrey Street Market income historic pressure due to vacant plots on market and unachievable pavement licenses, skips and scaffolding income due to the impact of Covid;
- **Selective Licensing Scheme £1.468m**- Shortfall in income due to the Secretary of State not approving the Selective Licensing Scheme;
- **SEN £1.642m** – pressures around contract costs, increase in demand for the service and new routes and the suspension of travel training due to Covid; and

- **Parking £0.190m** - pressures due to impact of Covid, increase in parking charges, suspensions and impact of backlog of processing and increased income targets.
- **Other Place Mitigations £0.488m** - net mitigations across Planning, Growth Employment and Regeneration, and Culture & Growth

In addition to the forecasted overspend the Place directorate, as indicated in Table 2a and 2b, have provided for additional risks due to non-delivery of MTFs savings of £0.817m and £1.500m for other risks. Non delivery of MTFs savings relate to the fall in P&D parking income, and risks have been identified around both SEN in relations to travel training which would lead to an increase/requirement to continue to provide transport and level of penalty charge notices.

Place also have a potential other opportunity of £0.422m in relation to staff underspend due to the January VR scheme.

4.5 Resources

Summary

The Resources directorate is forecasting a small overspend of £0.025m variance for Month 2 – down from £0.808m at Period 1. This is a net position after factoring all budgeted income and expenditure within the directorate.

Whilst the forecast is a small overspend the Directorate is indicating potential risks that could materialize through this financial year in Table 2b of £1.776m with Table 3 identifying £0.142m of risk mitigations.

These movement in risks have been so far been identified but whilst they may still materialize work is ongoing to try and work to mitigate these as we progress through the financial year.

4.6 Corporate

The Council received a non-fenced grant of £11.250m from Central Government in relation to additional costs that may be incurred in the current financial year as a result of Covid 19 and was announced in the December Local Government Finance Settlement. Any costs incurred by departments are expected to be met from existing service budgets and the grant is available to meet any additional service costs over expenditure. Where practicable additional costs including lost income arising from Covid will be identified and reported separately in future reports. The forecast General Fund variance of £4.034m is currently offset by utilizing £3.451 of this grant.

4.7 Table 4 below summaries the overall positions

Table 4 – Summary – Month 2 Position

Month 2	(£,000's)
Table 1 - Forecast	583
Table 2a - MTFs Savings Risk	1,670
Table 2b - Quantifiable Risks	10,171
Table 3 - Quantifiable Opportunities	(8,748)
Total	3,676

5 Housing Revenue Account (HRA)

- 5.1 Table 45 provides a summary of the HRA Month 2 monitor, which is currently indicating a £1.595m overspend (Month 1 £2.117m). The HRA is a self-financing ring-fenced account and will need to ensure it remains within the resources available, taking into account levels of HRA reserves. The improvement from the month 1 forecast is due to the fact that more detailed monitoring has been undertaken and this has identified a number of service underspends in the main due to staff costs and legal fees.
- 5.2 The Service Finance team are currently working on the HRA business plan that is being presented to Cabinet as part of this agenda.
- 5.3 The forecast overspend reported in Table 5 can be contained within HRA reserves provisionally forecast at £15.4m as at 31st March 2021.

Table 5 – Housing Revenue Account (HRA) at Month 2

SERVICES	Projected Variance For Month 2	Variance For Previous Month 1	Change From Previous Month	Explanation of Variations
	£'000	£'000	£'000	
Responsive Repairs	719	719	0	<p>£119k - Higher volume of uncompleted PPP repairs work carried over from last year</p> <p>£250k - Increase in average costs due to higher value voids, due to their condition when vacated.</p> <p>£350k - Additional spend particularly linked to disrepair cases relating to damp and mould eradication works, roofing repairs, drainage, door entry repairs and plumbing.</p>
Asset Management & Involvement	0	0	0	
Homes & Schools Improvement	0	0	0	
Regeneration Growth	(282)	0	(282)	(£282k) - A restructure targeting general fund savings has resulted in a disbanding of the whole team, including those posts funded by the HRA

Neighbourhood Operations	(123)	0	(123)	3 fte vacancies covers non budgeted shift allowance (on overtime code); reduction in forecasting on Supplies & Services Recharge - based on previous years
Housing Renewal	(19)	0	(19)	(£19k) - Under spend due to reflecting current years demand for home safety equipment
Housing Solutions	460	500	(40)	£460k - Concord, Sycamore & Windsor overspend on costs combined with a high level of voids based on 20/21 outturn
People Centralised	0	0	0	
Service Development	(54)	0	(54)	(£54k) - Various Supplies & Services budgets released to offset pressure within service area.
Income & Lettings	98	110	(12)	£133k - Unachievable income recharges £43k - Bank charges incurred when payments are made by debit/credit cards (£67k) - Professional services (£11k) - Minor savings
Neighbourhood & Tenancy Service	274	488	(214)	£100k - weekend overtime agreed for Caretakers, forecast as per prior year £100k - Hotel costs, last year's was £54k £120k - Responsive repairs, last year's was £60k (£46k) underspend on running costs
Emergency Accommodation	120	100	20	£120k - Gillet Road Concierge charges
Leaseholder Services	0	0	0	
Tenants Income	0	0	0	
Garage and Commercial Properties	157	100	57	£27k - Rent allowance £20k - shortfall in other sources of income £110k - Garage rent loss through voids due to additional garage in a disrepair state being handed over by BBB
Directorate & Centralised costs	245	100	145	£200k - Unbudgeted Executive Director / Corporate Director posts plus support costs for 10 months £45k - Supernumerary Policy & Performance post to progress Housing Strategy for 9 months

Total HRA	1,595	2,117	(522)	
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6 Capital Programme

6.1 The General Fund and HRA capital programmes have currently spent a gross £8.772m to the end of the second month against approved budgets of £303.417m. Actuals to date are still impacted by accruals brought forward from 2020/21 which have yet to be invoiced and do not take into account accruals for works so far completed.

6.2 The table below summarises the capital spend to date by department with further details of individual schemes provided in Appendix 2.

Department	Revised Budget 2021/22 (including assumed slippage from 2020/21)	Actuals 2021/22
Adult Social Care and Health	1,726	4
Housing	6,191	119
Children, Families and Education	24,319	1,686
Place	118,580	937 *
Resources	25,189	325
General Fund Total	176,005	3,071
Housing Revenue Account	127,412	5,701
LBC CAPITAL PROGRAMME TOTAL	303,417	8,772

* The actual to date for Place excludes a credit of £1.057m relating to TFL - LIP

7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

7.1 Finance comments have been provided throughout this report.

Approved by Chris Buss, Interim Director of Finance, Investment and Risk (S151 Officer)

8 LEGAL CONSIDERATIONS

8.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Law and Governance that the Council is under a statutory duty to ensure that it maintains a balanced budget and to take any remedial action as required in year.

- 8.2 The Council is required by section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs. The Council's Chief Finance Officer has established financial procedures to ensure the Council's proper financial administration. These include procedures for budgetary control. It is consistent with these arrangements for Cabinet to receive information about the revenue and capital budgets as set out in this report
- 8.3 The monitoring of financial information is also a significant contributor to meeting the Council's Best Value legal duty and therefore this report also complies with that legal duty.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the interim Director of Law and Governance & Deputy Monitoring Officer.

9 HUMAN RESOURCES IMPACT

- 9.1 There are no immediate workforce implications as a result of the recommendations in this report. Any mitigation on budget implications that may have effect on direct staffing will be managed in accordance with relevant human resources policies and where necessary consultation with recognised trade unions.

Approved by: Sue Moorman, Director of Human Resources

10 EQUALITIES IMPACT

- 10.1 There are no specific equalities issues set out in this report

11 ENVIRONMENTAL IMPACT

- 11.1 There are no specific environmental impacts set out in this report

12 CRIME AND DISORDER REDUCTION IMPACT

- 12.1 There are no specific crime and disorder impacts set out in this report

13 DATA PROTECTION IMPLICATIONS

- 13.1 There are no specific data protection implications set out in this report

REPORT AUTHOR: Matthew Davis, Deputy Section 151 Officer

APPENDICES:

Appendix 1 – Service Budgets and Forecasts
Appendix 2 – Capital Budget and Spend

BACKGROUND DOCUMENTS: None

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SERVICE BUDGETS AND FORECASTS

	Approved Budget (£,000's)	Current Actuals (£,000's)	% Actual v Budget (%age)	Full-Yr Forecast (£,000's)	Projected Variance (£,000's)
C1410P : ADULT SOCIAL CARE AND ALL-AGE DISABILITY	120,527	9,097	0	120,364	(163)
C1415P : INTEGRATION AND INNOVATION	3,334	559	0	3,329	(5)
C1662P : PUBLIC HEALTH	-	9,503	-	0	0
TOTAL Adult Social Care and Health	123,861	19,159	0	123,692	(169)
C1250P : GATEWAY SERVICES	23,298	2,085	0	23,004	(294)
C1420P - Housing Assessment & Solutions	5,728	3,060	1	6,257	529
TOTAL Housing	29,026	5,145	0	29,261	235
C1120P : PLANNING	896	218	0	799	(97)
C1160P : GROWTH EMPLOYMENT AND REGENERATION	1,454	1,616	1	1,252	(202)
C1114P : CROYDON CULTURE GROWTH	11,213	(444)	(0)	11,024	(189)
C1110P : PUBLIC REALM	36,346	5,093	0	40,508	5,116
C1130P : VIOLENCE REDUCTION NETWORK	1,931	(356)	(0)	1,937	6
C1100P : PLACE DIRECTORATE SUMMARY	(167)	202	(1)	(162)	5
C1116P : CROYDON GROWTH FUND	40	34	1	40	-
C1150P : HOMES AND SOCIAL INVESTMENT	10,105	1,544	0	10,364	259
TOTAL PLACE	61,818	7,907	0	65,762	3,944

C1245P : CHILDREN, FAMILIES AND EDUCATION DIRECTORATE SUMMARY	10,732	105	0	10,732	(0)
C1205P : QUALITY, PERFORMANCE AND IMPROVEMENT	428	-	-	428	(0)
C1210P : CHILDREN'S SOCIAL CARE	80,921	8,289	0	80,921	(0)
C1220P : EDUCATION	13,852	5,181	0	13,852	(0)
EDUCATION HIGH NEEDS DSG	217	20,642	95	217	(0)
TOTAL CHILDRENS, FAMILIES AND EDUCATION	106,150	34,217	0	109,200	-
C1900P : STRATEGY AND PARTNERSHIPS	3,578	610	0	3,465	(113)
C1610P : DIRECTOR OF COMMISSIONING AND PROCUREMENT	8,484	(4,628)	(1)	8,370	(114)
C1620P : DIRECTOR OF HUMAN RESOURCES	191	961	5	(50)	(241)
C1655P : RESOURCES DIRECTORATE SUMMARY	(173)	15,655	(90)	199	372
C1665P : DIRECTOR OF FINANCE INVESTMENT AND RISK	10,885	23,495	2	10,807	(78)
C1670P : CROYDON DIGITAL SERVICE	406	2,300	6	282	(124)
C1675P : DIRECTOR OF LAW AND GOVERNANCE	7,147	1,723	0	7,469	322
C1605P : DIRECTOR OF FM AND SUPPORT SERVICES	258	-	-	258	-
C1650P : RESOURCES SUSPENSE AND HOLDING ACCOUNTS	-	530	-	-	-
TOTAL RESOURCES	30,776	40,646	1	30,801	25

CAPITAL BUDGET AND SPEND

	Original Budget (£,000's)	Changes (£,000's)	Approved Budget (£,000's)	Spend to Date (£,000's)
Adults ICT	-	284	284	-
Adult Social Care Provision	-	4	4	4
Bereavement Services	1,065	753	1,818	-
Disabled Facilities Grant	2,400	1,973	4,373	119
Provider Services - Extra Care	-	1,438	1,438	-
Sheltered Housing	-	-	-	-
Health, Wellbeing and Adults incl Gateway and Housing)	3,465	4,452	7,917	123
Education – Fire Safety Works	1,200	961	2,161	-
Education - Fixed Term Expansions	260	1,893	2,153	174
Education - Major Maintenance	2,945	4,649	7,594	302
Education - Miscellaneous	200	544	744	45
Education - Permanent Expansion	180	160	340	60
Education - Secondary Estate	-	(47)	(47)	34
Education - SEN	8,892	2,482	11,374	1,071
Early Help Centre	-	-	-	-
Schemes with completion date prior to 2020/21	-	-	-	-
Children, Families and Education	13,677	10,642	24,319	1,686
Affordable Housing Programmes	-	-	-	-
Allotments	-	309	309	-
Brick by Brick programme	-	66,150	66,150	-
Community Ward Budgets	-	1,616	1,616	-
CALAT Transformation	-	396	396	-
Devolution initiatives	-	-	-	-
Electric Vehicle Charging Points	500	1,200	1,700	-
Empty Homes Grants	500	(100)	400	-
Feasibility Fund	330	-	330	12
Fieldway Cluster (Timebridge Community Centre)	121	2,902	3,023	-
Fiveways junction	-	-	-	-
Growth Zone	4,000	-	4,000	257
Grounds Maintenance Insourced Equipment	1,200	-	1,200	-
Highways - maintenance programme	17,231	1,007	18,238	632
Highways - maintenance programme (staff recharges)	-	280	280	-
Highways – flood water management	-	184	184	-
Highways – bridges and highways structures	-	141	141	17
Highways - Tree works	-	-	-	-
Measures to mitigate travellers in parks and open spaces	73	-	73	-
Leisure centres equipment upgrade	140	456	596	7
Libraries Investment - General	1,610	304	1,914	-
Libraries investment – South Norwood library	-	512	512	-
Neighbourhood Support Safety Measures	-	50	50	-
New Addington wellbeing centre	-	979	979	-
Parking	475	3,830	4,305	-
Park Life	-	381	381	-
Play Equipment	815	707	1,522	-
Safety - digital upgrade of CCTV	655	904	1,559	-
Section 106 Schemes	-	4,674	4,674	2
SEN Transport	1,275	14	1,289	-
Signage	112	25	137	-
South Norwood & Kenley Good Growth	53	-	53	10
Sustainability Programme	-	625	625	-
TFL - LIP	-	(3,419)	(3,419)	(1,057)
Unsuitable Housing Fund	-	14	14	-
Walking and cycling strategy	-	875	875	-
Waste and Recycling Investment	1,558	1,558	3,116	-
Waste and Recycling – Don't Mess with Croydon	768	590	1,358	-
Schemes with completion date prior to 2020/21	-	-	-	-
Place	31,416	87,164	118,580	(120)

	Original (£,000's)	Changes (£,000's)	Approved (£,000's)	Spend to (£,000's)
Asset Strategy - Stubbs Mead	3,132	200	3,332	-
Asset Strategy Programme	-	405	405	-
Asset Acquisition Fund	-	-	-	-
Corporate Property Programme	2,000	2,248	4,248	33
Crossfield (relocation of CES)	-	-	-	-
Emergency Generator (Data Centre)	-	-	-	-
Finance and HR system	400	198	598	111
ICT Refresh & Transformation	6,200	2,985	9,185	166
People ICT	1,521	5,900	7,421	13
Uniform ICT Upgrade	-	-	-	2
MHCLG Code Sharing Project	-	-	-	-
Resources	13,253	11,936	25,189	325
GENERAL FUND TOTAL	61,811	114,194	176,005	2,014
Asset management ICT database	155	-	155	-
Fire safety programme	-	5,555	5,555	99
Larger Homes	-	1,339	1,339	-
Major Repairs and Improvements Programme	26,771	8,535	35,306	5,582
Affordable Housing Programme	-	31,932	31,932	-
BBB Properties part funded by GLA and HRA RTB	54,535	53,585	108,120	-
Special Transfer Payments	180	622	802	20
HOUSING REVENUE ACCOUNT TOTAL	81,641	45,771	127,412	5,701
LBC CAPITAL PROGRAMME TOTAL	143,452	159,965	303,417	7,715

REPORT TO:	CABINET 26 JULY 2021
SUBJECT:	Croydon Renewal and Improvement Plan - Performance Reporting Framework & Measures Update
LEAD OFFICER:	Gavin Handford, Director of Policy & Partnership Caroline Bruce, Head of Business Intelligence, Performance and Improvement
CABINET MEMBER:	Councillor Hamida Ali, Leader of the Council
WARDS:	All

SUMMARY OF REPORT

This report provides a further update on the implementation of the Council’s Corporate Performance Action Plan and development of the Finance, Performance & Risk report (FPR), which reports progress and issues related to the delivery of the Croydon Renewal Plan, and associated performance reports as agreed at Cabinet on the 12 April 2021, with a further update presented on the 7 June.

The FPR will improve the corporate performance offer by providing timely and accurate performance data on programme / project status, performance against Corporate Renewal Plan measures, and progress against the delivery of financial savings. Reporting against risk associated with these deliverables, as well as the impact to corporate risks, is currently in the developmental stage and will be incorporated into future reports.

The latest iteration of the FPR report, in appendix A of this report, reviews performance, based on latest available data as at 31 May 2021. It should be noted that the 31 May is a snapshot in time and that not all data will actually relate to this time period due to time lags on data availability etc.

The creation and development of these reports is an iterative process and we will produce, build and present these reports on a monthly basis. This will mean that the contents of the reports will grow in line with the development. Therefore, the report in appendix A, is a work in progress and will continue to be developed, with a fully populated report incorporating the four areas of programmes, performance, finance and risk becoming available in September 2021.

FINANCIAL IMPACT

There are no direct financial implications arising from this report.

FORWARD PLAN KEY DECISION REFERENCE NO.: This is not a key decision

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below:

1. RECOMMENDATIONS

The Cabinet is recommended to

- 1.1 Note the progress that has taken place with regard to the development of the FPR report alongside a suite of reports in order to improve the corporate offer.
- 1.2 Review the corporate FPR report (appendix A) as at 31 May 2021 with regard to performance measures.
- 1.3 Note the progress made with programmes and projects in relation to milestones, deliverables and issues
- 1.4 Note the progress made against Savings and growth targets as identified in the CRP

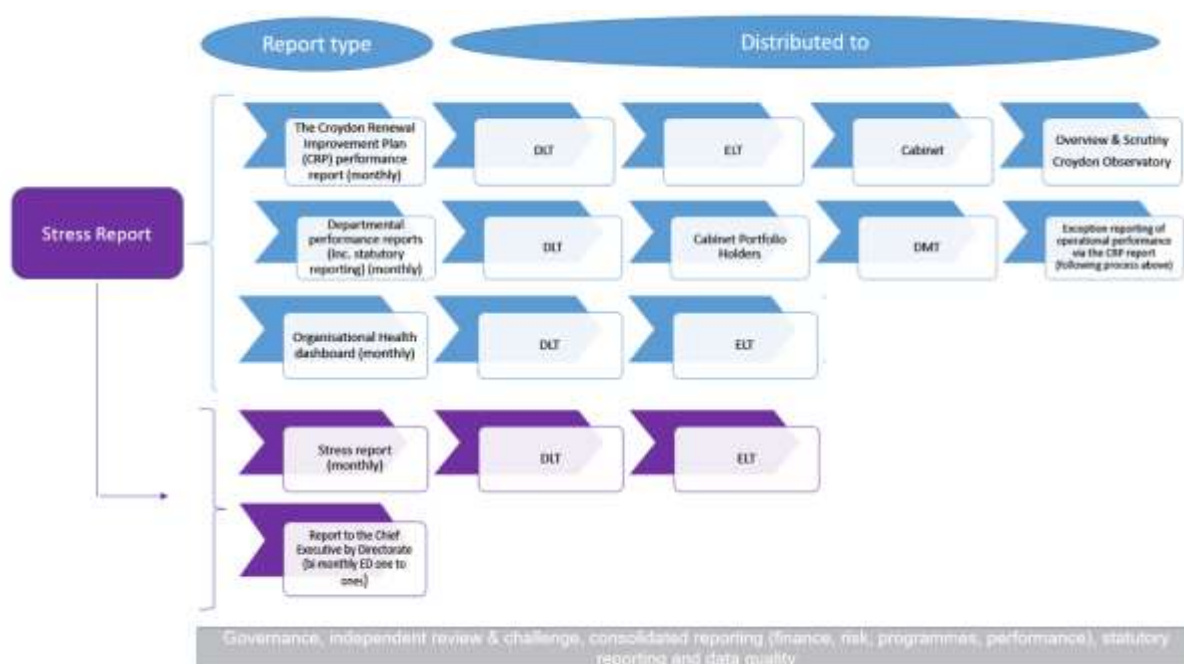
2. EXECUTIVE SUMMARY

- 2.1 The Croydon Renewal Improvement Plan, sets out how the Council will respond to the various reviews and recommendations that have highlighted substantial need for improvements. The Improvement Plan has also identified key areas of focus which are essential to changing the overall culture of the Council to one that is evidence led, manages resources well, and is open and transparent with stakeholders.
- 2.2 The corporate FPR report detailed in appendix A of this report, reviews the areas of project and programme delivery, and measures used to monitor delivery of the actions detailed within the CRP plan, as well as monitoring the performance of the organisation as a whole. The report reviews the period up to and including 31 May 2021. It should be noted that where measures are subject to a reporting time lag the latest available data has been included; this may not correspond with the reported time period.

3. Background

- 3.1 Cabinet and Council agreed in September 2020 to the development of the Croydon Renewal and Improvement Plan (CRP) which incorporates a financial recovery plan, the submission to MHCLG to secure the necessary capitalisation direction as part of that financial recovery, a corporate Improvement Plan to deliver the required changes to ensure the financial investment and rebalancing of the budget is sustainable.
- 3.2 On 12 April 2021 a report was presented to, and approved by cabinet,

detailing a suite of actions to create a corporate performance framework as detailed below. This reporting mechanism will ensure that what the data is telling us is visible to everyone and open to challenge.



4. The reports

4.1 Corporate Finance, Performance & Risk (FPR) report

4.2 This report will review our performance against the delivery of the actions within the CRP providing Members, the Executive Leadership Team, Directors, Overview & Scrutiny and Residents with information on the status of major programmes and projects, delivery of financial savings, progress of against performance indicators and risks associated to non delivery.

4.3 The report is produced on a monthly basis to allow Cabinet to monitor the progress of the development of the report and to allow for feedback and input to ensure that the final report is fit for purpose. Until such time as the report becomes a 'final' product, this remains an iterative process. A full report is expected to be available from September 2021

4.4 The report is composed of four parts

4.4.1 **Performance Indicators (PI's)** - Regular review and monitoring against the agreed performance measures. Impact performance will have against finance, risk and programme deliverables.

4.4.2 There are currently 127 PI's within the report. Some continue to be in a development stage where we are clarifying the methodology to be used and where the data can be sourced. Where targets have been set, a RAG status has been applied. PI's which are at, or above target will receive a green status, those within 10% of target an amber status and those which are

operating below target a red status. Where a measure has no target, either because it is not appropriate to set one or we are still benchmarking the measures, the RAG status will be shown as grey. Where a measure has not data or target at the moment, the RAG status will be shown as black. As part of the overall report, there will be analysis on areas of performance where greater focus is required. This will be detailed in the overview of PI's within the report.

4.4.3 Progress since previous Cabinet meeting 7 June 2021

- Refinement of the performance measures continues to take place working with departments, DLT's, ELT and Members.
- Review of the methodology for collecting, measuring and reporting the data continues.
- Working with the Executive Director of Housing and directors is currently taking place to ensure that we have a relevant suite of measures to allow oversight of the health of the service as well as taking into account the actions from the Ark consultancy independent investigation
- Presentation of updates and incorporation of previous feedback (via DLT, ELT, Cabinet) to the report presented to DLT's (17 June) and ELT (22 June)
- Review of comparative / benchmarking data that is available. Process to incorporate into the report has begun.
- Reviewed by the Independent Assurance Panel (IAP) on 13 May and 1 July.
- Reviewed by Scrutiny & Overview panel on 15 June.

4.4.4 **Project & Programmes** - Monitoring of milestones, deliverables and issues

4.4.5 The purpose of a central Programme Management Office (PMO) is to ensure oversight and governance of delivery of the individual projects that make up the CRP.

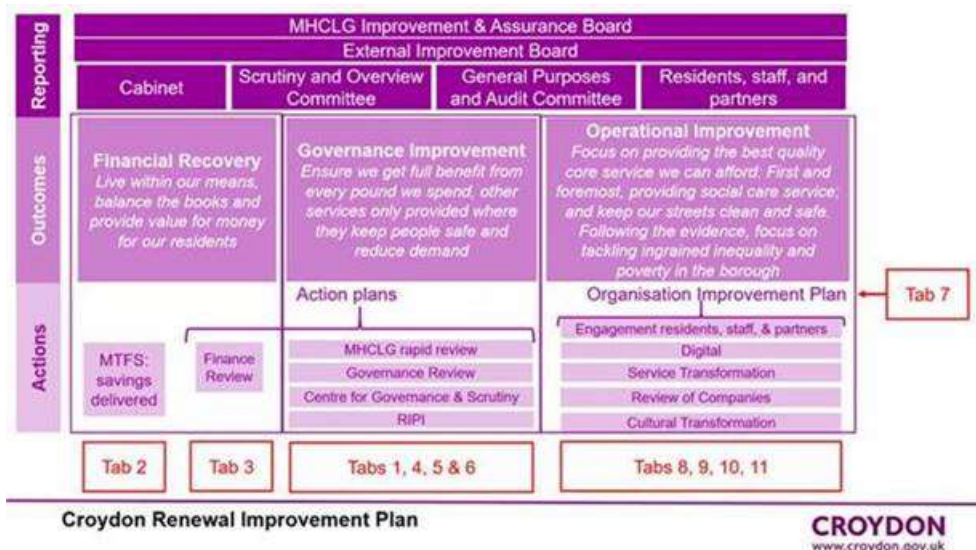
4.4.6 Details of each individual project are collated within Croydon's programme management software: "LBC Delivery Tracker", with corresponding MS Teams cards to track progress at a granular task level. The LBC Delivery Tracker allows for centralised, regular, monitoring of both progress and confidence in delivering the projects that make up the programmes of the CRP.

4.4.7 There were originally 11 programmes of work that made up the CRP. These were created from all the recommendations that external and internal groups provided:

- Medium Term Financial Strategy
- Report in the Public Interest
- Adult Social Care Improvement Plan
- Children, Families & Education Plan
- Croydon Finance Review
- Governance Review
- Centre for Governance & Scrutiny Review

- Cultural Transformation
- Organisational Improvement Plan
- MHCLG Rapid Review
- Council investment, asset management, and divestment activities and relationship with its third party companies (known as “Council Review of Companies”).

4.4.8 These 11 programmes are now sit within three areas of activity as detailed in the diagram below.



4.4.9 Three year Croydon Renewal Plan - April 2021 to March 2023

Within the tracker, there are now 489 actions, this increase is due to a request from Finance to split the generic 15% staff savings delivered last year by team, rather than department, and also as a result of the working group for Council Companies which has expanded the scope of that programme beyond the initial PwC recommendations, to include asset disposals and relationships with **all** council companies.

4.4.10 Action status across full three year programme as at 07 June, 2021:

To date 102 Renewing Croydon Programme actions are marked as complete in the LBC Delivery Tracker, 41 one of which relate to the Medium term Financial Strategy Programme. Please refer to the Financial Performance Report also presented at this Cabinet.

- 61.7% of all actions are in progress (302 or 489).
- Actions not yet underway have defined start dates across the full three years of the programme.

4.4.11 The table below provides an overview update against each of the programmes.

Programme	Update	Number of Complete Projects
Cultural Transformation Programme	On hold- pending clarification of governance, scope and measurable outcomes	0/5
Report in the Public Interest	Work on-going, reporting into GPAC and Cabinet quarterly. Internal Audit to begin audit of completed projects.	0/25
Council investment, asset management, and divestment activities and relationship with its third party companies	Working group chaired by Asmat Hussain & Chris Buss established with initial aim of reviewing all council companies (not just those reviewed by PwC) before the end of July. Concurrently work continues to deliver the 47 projects. New Senior Accountable Officer to be confirmed for the bulk of projects within this programme following Ozay Ali's departure.	8/47
Croydon Finance Review	Work on-going next update to GPAC in September.	12/75
Medium Term Financial Strategy	P1 monitoring complete, P2 monitoring due June 21 st . Saving assurance report given to Katherine which outlines in-years savings at risk and looks to year 2 and 3.	81/240
Centre for Governance & Scrutiny Review	Discussing with CFGS resources to support the delivery of this programme.	0/11
Governance Review	On hold- SLT aware that all funding for delivering Governance Recommendations was removed in the 2021/22 budget, placing delivery of all recommendations at significant risk of not being delivered. An application has been submitted for Transformation funding to support the delivery of these recommendations.	0/22
Organisation Improvement Plan	On hold - Programme paused pending results of Ecosystem work and Senior restructure.	TBC
MHCLG Rapid Review	All but one of the projects in this programme have been subsumed into the other programmes. The one remaining project 'Review of social care IT systems' has been sent to ELT for review.	1/1

- 4.4.12 In order to ensure the PMO are operating as effectively as possible they have;
- Established a Community of Practice within the Council where best practice, training, key messages for project and programme managers can be shared.
 - Developed a new Project initiation process.
 - Invited the LGA to complete an independent review of PMO effectiveness, which will make recommendations to the Council's Executive Leadership Team.

Updates on progress in the above areas will be provided in the next report to Cabinet on the 13 September.

4.4.13 Progress since previous Cabinet meeting 7 June 2021 - Appendix A of the report now contains an overview of the current status of programmes and projects which are going well, things to do better and ones to watch. Those going well are projects, which have remained on track, or have recently moved from being a project of concern to doing well. Things to do better are projects which were previously on track and have very recently seen a drop in delivery. This gives an opportunity for early intervention should it be required. Ones to watch are those projects where there is a risk to the delivery of the outputs expected such as savings or the milestones dates for delivery are slipping etc. Impact to financial savings are detailed in 4.3.15 of this report.

4.4.14 **Financial savings** - Savings and growth targets as identified in the CRP

4.4.15 The Financial Monitoring Report for period two of the 2021/22 financial year, presented to Cabinet on the 12 July 2021 details projects that are at risk of delivery. Table 2a of the Financial Monitoring Report provides full details of MTFs savings risks with a brief commentary of the projects that are at risk of delivery. To date, the total savings at risk are £1.524m this is an increase against the £0.737m figure reported as part of the P1 reporting presented to the June 2021 Cabinet meeting. If these savings are deemed to be definitely non-deliverable they will be factored into the monthly forecast and incorporated into the forecast outturn position.

4.4.16 Progress since previous Cabinet meeting 7 June 2021 - The CRP Business Intelligence report received Finance department sign off on the 11 June.

4.4.17 **Risk** - This report will monitor the risk to the delivery of the CRP actions and savings and the potential impact against corporate risks and mitigation in place. This section of the report remains under development and it is anticipated that the report to cabinet in September will contain risk updates

5. **Departmental and statutory performance reporting** – These reports continue to be presented to all Departmental Leadership Team meetings with the latest review taking place on the 17 June 2021. This process continues on a monthly basis. Executive Directors / Directors are responsible for discussing the contents of departmental and statutory performance reports with the relevant Cabinet Member to ensure line of sight and accountability.

6. **Organisational Health Dashboard** – This dashboard contains detailed information relating to the organisations workforce and residents, specifically looking at areas of agency spend, sickness, staff turnaround and satisfaction, complaints, FOI requests and so on. Data from this dashboard, which can be accessed in real time outside of the reporting framework, will be reported to Cabinet, DLT's, and ELT on a monthly basis, by exception, with the developed modules becoming part of the suite from September 2021.

7. **Stress report** – as detailed in the report of the 12 April, the Stress report will be used to support the Executive Leadership Team to scan for;

- unintended consequences as a result of the changes the council needs to undertake over the next three years;
- Potential increased demand, population demographics, risks, expenditure and the impact these may have to the council and its journey, and the impact on residents;
- Areas of continued underperformance in areas of the council - as identified via Departmental Leadership and service reports;
- Areas of performance where the current direction of travel is in a downward trajectory – as identified via Departmental Leadership and service reports;
- Areas of high spend low output;
- Ensuring there are 'no surprises' and always for informed and planned decision making;
- Ensuring the use of robust data, including financial and benchmarking to support the delivery of the new priorities for the council.

7.1 Work is currently under way in the development and design of this report and it is anticipated that production will commence in July 2021 with a full version of the report complete for monthly dissemination to ELT from September 2021.

8. **Report to the Chief Executive** – These reports will focus on the data from the suite of reports as detailed above, with the focus being on one department per report. This will allow for informed one to one sessions between the Chief Executive and the relevant Executive Director. Developmental work continues on this report.

9. **Frequency of reporting**

9.1 As agreed at the 12 April Cabinet meeting, once the framework is fully established and implemented, performance reporting will take place at different frequencies as deemed appropriate (monthly, quarterly, annually) depending on the type of report and audience. Performance reports to Cabinet will be presented on a monthly basis, with frequency of reporting being reviewed in November 2021.

10. Data Not Received (DNR) reporting

- 10.1 In order to support the culture change toward performance management across the whole organisation, where data has not been received / input into relevant systems to allow for the data to be extracted in time for report production, reports will contain a section detailing areas where we have been unable to report. This will allow accountable offers to investigate why data has not been input into the relevant system in a timely manner, which can then be addressed.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 It is essential that the Council takes steps to ensure that a robust performance management plan and framework are in place, alongside the work of the Programme Management Office, Finance and Risk. Delivery against the actions in the CRIP and sustainable improvements in services are unlikely to happen without it.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 None.

13. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 13.1 There are no direct financial implications arising from this report. There will be financial implications associated with the delivery of the projects and actions within the Croydon Renewal and Improvement Plan which have been factored in to the Medium Term Financial Strategy. The delivery of these projects and actions, and the resulting savings is essential. It is therefore critical that effective monitoring and reporting is in place.

Approved by: Matthew Davis, Head of Finance, (Deputy S151 Officer)

14. LEGAL CONSIDERATIONS

- 14.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that section 3(1) of the Local Government Act 1999 requires the council as a best value authority to to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Monitoring of performance information and acting on the findings is an important way in which that obligation can be supported.
- 14.2 For the purpose of deciding how to fulfil the duty arising under subsection (1) an authority must consult—
- (a) representatives of persons liable to pay any tax, precept or levy to or in

respect of the authority,

(b) representatives of persons liable to pay non-domestic rates in respect of any area within which the authority carries out functions,

(c) representatives of persons who use or are likely to use services provided by the authority, and

(d) representatives of persons appearing to the authority to have an interest in any area within which the authority carries out functions.

- 14.3 In deciding how to fulfil the duty arising under section 3 (1), who to consult under section 3 (2), or the form, content and timing of consultations under that subsection, an authority must have regard to any guidance issued by the Secretary of State. The most recent version of this guidance was published in March 2015:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418505/Revised_Best_Value_Statutory_Guidance_final.pdf

- 14.4 Any legal implications arising in relation to individual actions will need to be dealt with as projects and decisions come forward for approval.

Approved by: Sandra Herbert Head of Litigation and Corporate Law for and on behalf of the interim Director of Law and Governance and Deputy Monitoring Officer.

15. HUMAN RESOURCES IMPACT

- 15.1 Key to delivery of the Croydon renewal and Improvement Plan will be to retain and invest in a skilled workforce, who are enabled and engaged through a positive organisational culture. The council's workforce strategy is aligned to the Croydon Renewal & Improvement Plan and supports building the workforce skills and capacity for the future.

- 15.2 Any planned service changes through informed review, will be subject to the council's organisational change procedure and consultation with staff and trade unions.

Approved by: Sue Moorman, Director of Human Resources.

16. EQUALITIES IMPACT

- 16.1 In April 2011 the Equality Act (2010) introduced the public sector duty which Extends the protected characteristics covered by the public sector equality duty to include age, sexual orientation, pregnancy and maternity, and religion or belief.

- 16.2 Section 149 Equality Act 2010 requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other

- conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

16.3 Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that decision makers must be able to evidence that they have taken into account any impact of the proposals under consideration on people who share the protected characteristics before decisions are taken. Equalities impact assessments will be a key part of our governance framework for the Improvement Board, with direct input from the Council’s Equality & inclusion Manager.

Approved by: Gavin Handford, Director of Policy & Partnership.

17. REASONS FOR RECOMMENDATIONS/ PROPOSED DECISION

17.1 It is essential that the Council takes steps to address the necessary improvements required to enable Croydon Council to be a financially sustainable council delivering value for money efficient and effective services.

18. DATA PROTECTION IMPLICATIONS - WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF ‘PERSONAL DATA’?

18.1 **NO** - The Director of Policy & Partnership comments that there are no data protection implications arising from the contents of this report

Approved by: Gavin Handford, Director of Policy & Partnership.

CONTACT OFFICERS: Caroline Bruce, Head of Business Intelligence, Performance and Improvement
Craig Ferguson, Business Insight Manager

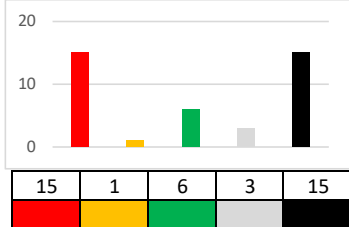
APPENDICES: Appendix A – Corporate performance and finance report

BACKGROUND PAPERS: Croydon Renewal and Improvement Plan

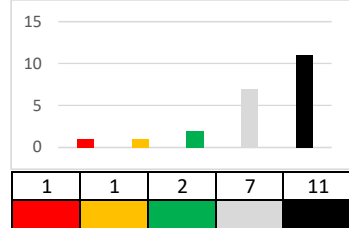
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CROYDON CORPORATE PERFORMANCE FRAMEWORK

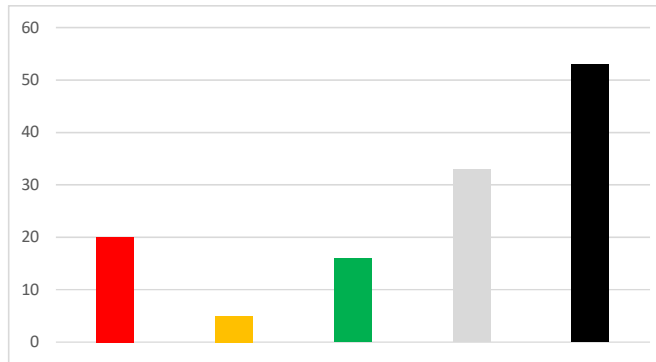
PLACE



CFE



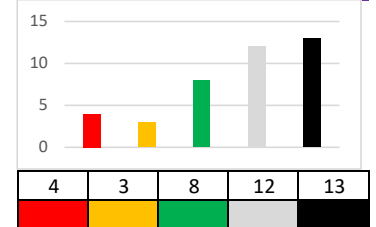
CROYDON TOTAL



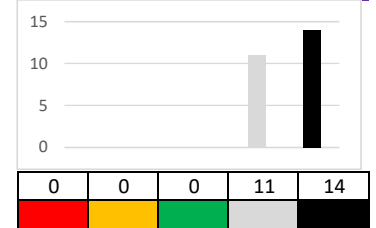
20	5	16	33	53

■ Red
 ■ Amber
 ■ Green
 ■ Data but no target
 ■ No data and no target

RESOURCES



HWA



Corporate performance, finance & risk report overview (KPI's)

GOING WELL

Going well will review performance in areas that have made an improvement, compared to past performance. It will also, where possible, benchmark on performance compared to other London LA's, and / or national average.

ONES TO WATCH

Ones to watch will monitor performance where, from a strong position, performance is being to deteriorate to enable decision makers to make informed choices as to how to manage / improve performance in a timely manner. It will also, where possible, benchmark on performance compared to other London LA's, and / or national average.

THINGS TO DO BETTER

Things to do better will highlight performance that is not meeting the expected standard / target, and the potential consequences the organisation could face as a result. It will also, where possible, benchmark on performance compared to other London LA's, and / or national average.

This section of the report will be populated when monthly comparative data is available

CROYDON CORPORATE PERFORMANCE FRAMEWORK



Latest Update: MAY 2021

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
PLACE												
PUBLIC REALM												
PL PR 19	Number of Park Patrols	Monthly	May-21	350	811			Apr-21	919		No comparable data available	
PL PR 20	Number of District Centre Patrols	Monthly	May-21	150	535			Apr-21	506		No comparable data available	
PL PR 23	% of household waste sent for reuse recycling and composting	Quarterly	Q3 2020/21		44.2%					Q4 2019/20	32.9%	Reporting is always 1 quarter in arrears due to data collection required
PL PR 25	Missed Bins per 100k	Monthly	May-21		52	↑		Apr-21	98		Reviewing availability	
PL PR 28	% of Streets below grade rectified in time	Monthly	May-21		96.0%	↓		Apr-21	99.7%		Reviewing availability	
PL PR 30	Street lighting performance and maintenance (% of lights in light)	Monthly	May-21	99%	99.78%	↑		Apr-21	99.75%		Reviewing availability	
PL PR 32	Parks and open space Volunteer Days per month	Quarterly									No comparable data available	
PL PR 33	Street champion Volunteering days per month	Monthly	May-21	600	612						No comparable data available	
PL PR 53	% of Licence applications to be processed within statutory timescales	Quarterly										
PL PR 56	% of applications with representations are referred to licensing sub committee within statutory timescales	Quarterly										
PL PR 59	% of contaminated land assessments are conducted within service standards/statutory timescales	Quarterly										
PL PR 62	% of air quality monitoring conducted within service standards/statutory timescales	Quarterly										
PL PR 65	% of complaints about nuisance are responded to within service standards/statutory timescales	Quarterly										
PL PR 66	Private Sector Housing Service Requests concerning conditions - % initial responses within 24 hours	Quarterly										

CROYDON CORPORATE PERFORMANCE FRAMEWORK

Latest Update: MAY 2021

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
PL PR 67	Private Sector Housing Service Requests concerning conditions - % visits within 48 hours	Quarterly										
PL PR 68	Private Sector Housing Service Requests - % initial responses within 3 days	Quarterly										
PL PR 69	Private Sector Housing Service Requests - % visits within 10 days	Quarterly										

PLANNING AND STRATEGIC SUPPORT

PL PS 03	% of Major applications processed in time (13 weeks)	Monthly	May-21	60%	100%	↑		Apr-21	0.00%		Reviewing availability	
PL PS 06	% of Minor planning applications processed in time	Monthly	May-21	65%	61.4%	↑		Apr-21	59.78%		Reviewing availability	
PL PS 09	% of Other planning applications processed in time	Monthly	May-21	80%	80.5%	↑		Apr-21	79.61%		Reviewing availability	
PL PS 10	Major Planning applications determined in time over a rolling 2 year period	Monthly	July 19 - June 21	60%	86.6%	↑		June 19 - May 21	85.71%		Reviewing availability	
PL PS 11	Non- Major Planning applications determined in time over a rolling 2 year period	Monthly	July 19 - June 21	70%	76.1%	↑		June 19 - May 21	75.95%		Reviewing availability	

CULTURE

PL CUL 01	Footfall in libraries	Monthly									Reviewing availability	
PL CUL 02	Book issues in Libraries	Monthly									Reviewing availability	
PL CUL 03	Digital issues in Libraries	Monthly									Reviewing availability	

RESOURCES

CROYDON DIGITAL SERVICE

RE CDS 01	Number of Major incidents	Monthly	Apr-21	N/A	8			Mar-21	15		Reviewing availability	
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CROYDON CORPORATE PERFORMANCE FRAMEWORK

Latest Update: MAY 2021

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
RE CDS 02	Number of Major incidents resolved within SLA	Monthly	Apr-21	SLA	4			Mar-21	15		Reviewing availability	
RE CDS 03	Number of total incidents	Monthly	Apr-21	N/A	2,886			Mar-21	2,886		Reviewing availability	
RE CDS 05	% of issues first time fix (IT Service Desk)	Monthly	Apr-21	80%	98%			Mar-21	86%		Reviewing availability	
RE CDS 06	Average website uptime	Monthly	May-21	100%	100%	↔		Apr-21	100%		Reviewing availability	
RE CDS 07	Number of total website visits	Monthly	May-21	compare to avg monthly visits	43,659	↑		Apr-21	42,899		Reviewing availability	
RE CDS 08	Number of active MyAccount users	Monthly	5 May - 2 June '21 (4 weeks)	compare to avg monthly log-in	23,228	↓		Apr-21	27,693 log-ins to My Account in the last 4 weeks		Reviewing availability	5,098 users didn't enter the right credentials, 18,130 successful log-ins. The lower number this month is likely to be reflective of the fact that the previous month (April) is when many garden waste renewals happen, also people checking their new council tax bills.
RE CDS 09	Number of projects in Delivery	Quarterly	Jan - April 2021	N/A	71						Reviewing availability	
RE CDS 10	Number of project Queued	Quarterly	Jan - April 2021	N/A	86						Reviewing availability	
RE CDS 11	Number of projects completed year to date	Quarterly	Jan - April 2021	N/A	48						Reviewing availability	

HUMAN RESOURCES

RE HR 01	Recruitment process - % people shortlisted declared as female	Quarterly									Reviewing availability	
RE HR 02	Recruitment process - % people appointed declared as female	Quarterly									Reviewing availability	
RE HR 03	Recruitment process - % people shortlisted declared as Black, Asian, Mixed, and White ethnic minority groups	Quarterly									Reviewing availability	
RE HR 04	Recruitment process - % people appointed declared as Black, Asian, Mixed, and White ethnic minority groups	Quarterly									Reviewing availability	

CROYDON CORPORATE PERFORMANCE FRAMEWORK

Latest Update: MAY 2021

REF.	INDICATOR	LATEST DATA						PREVIOUS DATA		BENCHMARKING		COMMENTS ON CURRENT PERFORMANCE
		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
RE HR 05	Recruitment process - % people shortlisted declared as LGBT	Quarterly									Reviewing availability	
RE HR 06	Recruitment process - % people appointed declared as LGBT	Quarterly									Reviewing availability	
RE HR 07	Recruitment process - % people shortlisted declared as disabled	Quarterly									Reviewing availability	
RE HR 08	Recruitment process - % people appointed declared as disabled	Quarterly									Reviewing availability	
RE HR 09	Percentage of staff who are agency	Monthly		15%							Reviewing availability	
RE HR 14	% formal employee relations cases that are resolved within 12 weeks	Quarterly	May-21		83%						Reviewing availability	
RE HR 15	% LBC workforce declared as female	Annual	As at April 2021		66.20%						Reviewing availability	
RE HR 16	% LBC workforce declared as Black, Asian, Mixed, and White ethnic minority groups	Annual	As at April 2021		44.70%						Reviewing availability	
RE HR 17	% LBC workforce declared as LGBT	Annual	As at April 2021		4.90%						Reviewing availability	
RE HR 18	% LBC workforce declared as Disabled	Annual	As at April 2021		8.70%						Reviewing availability	
RE HR 19	% LBC workforce who have declared their gender	Annual	As at April 2021		100%						Reviewing availability	
RE HR 20	% LBC workforce who have declared their ethnicity	Annual	As at April 2021		68%						Reviewing availability	
RE HR 21	% LBC workforce who have declared their sexual orientation	Annual	As at April 2021		64%						Reviewing availability	
RE HR 22	% LBC workforce who have declared if they have a disability	Annual	As at April 2021		66%						Reviewing availability	
RE HR 23	Number of sick days per FTE	Monthly		5.6				Rolling Year to Apr 21	5.38		Reviewing availability	
RE HR 24	% participating in staff surveys	In Progress - Will have data when next Staff Survey is complete									Reviewing availability	
RE HR 25	% participating in temperature checks	In Progress - Will have data when next Staff Survey is complete									Reviewing availability	

CROYDON CORPORATE PERFORMANCE FRAMEWORK

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		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
RE HR 26	% of people who have stated in temperature checks "I am proud to work for the council"	In Progress - Will have data when next Staff Survey is complete									Reviewing availability	

LAW AND GOVERNANCE

RE LG 15	Total number of FOIs	Monthly	Mar-21	N/A	184			Feb-21	202		Reviewing availability	
RE LG 16	Total number of FOIs responded to with statutory time line	Monthly	Mar-21	N/A	106			Feb-21	116		Reviewing availability	
RE LG 17	% of FOIs responded to within statutory time line	Monthly	Mar-21	90%	58%	↑		Feb-21	57%		Reviewing availability	
RE LG 18	Total number of SARs	Monthly	Mar-21	N/A	12			Feb-21	17		No comparable data available	
RE LG 19	Total number of SARs responded to within statutory timeline	Monthly	Mar-21	N/A	9			Feb-21	11		No comparable data available	
RE LG 20	% of SARs responded to within statutory timeline	Monthly	Mar-21	90%	75%	↑		Feb-21	65%		No comparable data available	

PAYMENTS, REVENUES AND BENEFITS

RE PRB 04	Net collectable business rates (£)	Monthly	May-21	N/A	£75,357,226.14			Apr-21	£74,956,057.51		No comparable data available	
RE PRB 05	Collected business rates (£)	Monthly	May-21	N/A	£16,707,009.19			Apr-21	£10,909,298.84		No comparable data available	

COMMUNICATIONS

RE CM 01	Intranet page views (all of intranet)	Monthly	May-21	200,000	195,341						No comparable data available	Two public holidays and half-term
RE CM 04	Increase in subscribers to YC Weekly e-bulletin from previous month	Monthly	May-21	100	433	↓		Apr-21	640		No comparable data available	Up from 85,108 in April to 85,541 in May. Figure may fluctuate due to reasons beyond our control - i.e. if delivery fails as a result of an individual's mailbox rejecting delivery. Figure also currently includes addresses registered on My account which were added as part of emergency Covid communications. Subscribers will therefore reduce significantly when these addresses are removed when emergency Covid communications cease.
RE CM 06	Increase in subscribers to corporate social media accounts from previous month – FB	Monthly	May-21	To increase	25	↓		Apr-21	46		No comparable data available	

CROYDON CORPORATE PERFORMANCE FRAMEWORK

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		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
RE CM 08	Increase in subscribers to corporate social media accounts from previous month – Twitter	Monthly	May-21	To increase	-47	↓	Yellow	Apr-21	126		No comparable data available	
RE CM 10	Increase in subscribers to corporate social media accounts from previous month – Instagram	Monthly	May-21	To increase	85	↑	Green	Apr-21	72		No comparable data available	
RE CM 15	Digital news hub – visits to site	Monthly	May-21	25,000	26,317	↑	Green	Apr-21	19865		No comparable data available	

DEMOCRATIC SERVICES

RE DS 01	Percentage of Draft minutes produced within 10 working days;						Black				No comparable data available	
RE DS 02	Number of reports published after the statutory deadline						Black				No comparable data available	
RE DS 03	Percentage of information requests from the Scrutiny Committee responded to within the statutory timescale						Black				No comparable data available	

COMMUNITY EQUIPMENT SERVICE

RE CES 03	% of CES delivery/collection/maintenance/repairs within the agreed timeframe	Monthly	Apr-21	95%	94.5%	↓	Yellow	Mar-21	95.4%		No comparable data available	
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CHILDREN FAMILIES AND EDUCATION (CFE)

EARLY HELP AND CHILDREN'S SOCIAL CARE

CFE CSC 02	Percentage of Early Help cases that were stepped up to CSC (EH 9)	Monthly	May-21	10%	20%	↑	Red	Apr-21	28%		No comparable data available	
CFE CSC 03	Percentage of CSC referrals that were stepped down from CSC into Early Help (EH 25)	Monthly	May-21		1%	↑	Grey	Apr-21	0%		No comparable data available	
CFE CSC 04	Percentage of re-referrals within 12 months of the previous referral	Monthly	May-21	22%	23%	↑	Yellow	Apr-21	31%	2019/20	19%	
CFE CSC 05	Rates of adolescents entering/leaving care				To be developed		Black				No comparable data available	

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		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
CFE CSC 08	Percentage of CIN* for who had review on time (those allocated to CWD teams) (CIN 7)	Monthly	May-21	95%	95%	↑	Green	Apr-21	86%		No comparable data available	
CFE CSC 10	Net current expenditure per child on CLA placements				To be developed		Black				No comparable data available	
CFE CSC 12	Rate of local CLA per 10,000 under 18 population (CLA 2a)	Monthly	May-21		47.6		Grey	Apr-21	48.0	2019/20	40.9%	
CFE CSC 13	Number of UASC CLA (CLA 4)	Monthly	May-21		189		Grey	Apr-21	205		No comparable data available	
CFE CSC 14	Percentage of the under 18 population who are UASC	Monthly	May-21		0.20%		Grey	Apr-21	0.22%	2019/20	0.08%	
CFE CSC 16	Percentage of care leaver population formerly USAC	Monthly	May-21		56%		Grey	Apr-21	#REF!		No comparable data available	
CFE CSC 19	Number of young people who have Appeals Rights Exhausted				To be developed		Black				No comparable data available	
CFE CSC 21	Average Caseload per allocated Social Worker in Children's Social Care	Monthly	May-21	17.0	16.3	↑	Green	Apr-21	16.7		No comparable data available	
CFE CSC 23	Number of staff in post after 3 years				To be developed		Black				No comparable data available	
CFE CSC 25	Percentage of Child Protection Children subject to a plan for a second or subsequent time (CP 11)	Monthly	May-21		30%		Grey	Apr-21	26%	2019/20	18%	

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CFE E 02	Total number of families attending children's centre								To be developed		No comparable data available	
CFE E 17	Number of children attending children's centres in receipt of FSM								To be developed		No comparable data available	
CFE E 05	Savings project ref: CFE Sav 10								Populate from CRP Finance / PMO BI dashboard		No comparable data available	
CFE E 08	Number of children and young people with an EHCP		May-21		3520			Apr-21	3515		No comparable data available	
CFE E 09	Number of children with an EHCP educated in-borough mainstream schools								To be developed		No comparable data available	
CFE E 10	Percentage of children with an EHCP educated in-borough mainstream schools								To be developed		No comparable data available	
CFE E 11	Average caseload per SEN caseworker								To be developed		No comparable data available	
CFE E 12	Annual review measure (s) to be agreed								To be agreed		No comparable data available	

HEALTH WELLBEING AND ADULTS (HWA)

HWA 2	Number of clients (18-64) in Dom Care	Monthly	May-21		504			Apr-21	479		Reviewing Availability	
HWA 3	Number of clients (18-64) in: Nursing	Monthly	May-21		56			Apr-21	51		Reviewing Availability	
HWA 4	Number of clients (18-64) in: Residential Care	Monthly	May-21		374			Apr-21	371		Reviewing Availability	
HWA 5	Number of clients (18-64) in Supported Living	Monthly	May-21		290			Apr-21	289		Reviewing Availability	

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		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
HWA 6	Number of clients (18-64) in Respite	Monthly	May-21		12			Apr-21	10		Reviewing Availability	
HWA 7	Number of clients (65+) in: Day Care	Monthly	May-21		102			Apr-21	95		Reviewing Availability	
HWA 8	Number of clients (65+) in: in Dom Care	Monthly	May-21		1150			Apr-21	1094		Reviewing Availability	
HWA 9	Number of clients (65+) in: Nursing	Monthly	May-21		300			Apr-21	278		Reviewing Availability	
HWA 10	Number of clients (65+) in: Residential Care	Monthly	May-21		365			Apr-21	347		Reviewing Availability	
HWA 11	Number of clients (65+) in: Supported Living	Monthly	May-21		28			Apr-21	27		Reviewing Availability	
HWA 12	Number of clients (65+) in: in Respite	Monthly	May-21		26			Apr-21	25		Reviewing Availability	
HWA 13	Number of clients on the waiting list										Reviewing Availability	
HWA 15	Net Current Expenditure on Adults Social Care										Reviewing Availability	
HWA 17	Spend on Long Term Clients - 18-64										Reviewing Availability	
HWA 19	Spend on Long Term Clients - 65+										Reviewing Availability	
HWA 21	Spend on Short Term Clients - 18-64										Reviewing Availability	

CROYDON CORPORATE PERFORMANCE FRAMEWORK

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		Frequency	Timeframe	Target	Croydon position	Change from previous	RAG	Timeframe	Croydon position	Timeframe	London position	
HWA 23	Spend on Short Term Clients - 65+										Reviewing Availability	
HWA 24	% of concluded Section 42 enquiries where a risk was identified, the reported outcome was that risk was reduced or removed										Reviewing Availability	
HWA 25	% Clients on Waiting List for 6 weeks or more										Reviewing Availability	
HWA 26	% Annual Reviews completed on time										Reviewing Availability	
HWA 27	% Annual Reviews more than 6 months overdue										Reviewing Availability	
HWA 28	Number of Direct Payments (total)										Reviewing Availability	
HWA 29	Caseload numbers (per locality team)										Reviewing Availability	
HWA 30	Number of contacts received by the Front Door										Reviewing Availability	
HWA 31	% of contacts received that result in a statutory support package										Reviewing Availability	

Corporate performance, finance & risk report overview - Projects & Programmes

GOING WELL

Going well will review projects that have made an improvement in terms of delivery, compared to past performance

- 1 **Croydon Finance Review**, work is on-going. Next key milestone is the completion of the Capital Strategy in July.
- 2 **MTFS HWA**, all 21/22 savings on tracker to deliver full amount. BAU reviews are ahead of plan, £2.1m of savings have been identified and £663k of this validated by finance.
- 3 **MTFS Resources**, all 21/22 savings on track to deliver full amount.
- 4 **Review of Council Companies** working group set up that has expanded the programme beyond initial PwC recommendations and is now reviewing all council companies
- 5 **MTFS Corporate Finance**, all 21/22 savings on track to deliver full amount
- 6 **Report in the Public Interest**: At 09 June 2021 a total 55 of the 99 tasks identified in the RIPI Action Plan have been completed. Work is progressing to deliver the remaining tasks by end December 2021.

ONES TO WATCH

Ones to watch will monitor projects where, from a strong position, performance is beginning to deteriorate, to enable decision makers to make informed choices as to how to manager / improve performance in a timely manner

- 1 **MTFS CFE** 21/22 savings, total at risk: £830,368. Confirmation of the amount at risk, and mitigation if/where needed, will be provided post-P2 so as that the accountants can assist with validating where alternative savings can be made from.
MTFS Place 21/22 savings, total at risk: £814,500.
PLA Sav 08: Public Protection and Licensing Highways & Parking Services merger. Mitigations: The restructure to bring the Highways and parking service together has now been completed and being implemented during June and July. It is expected the £50k currently listed as at risk will be mitigated by current vacant posts within the service area. The £220k within the "on track" section will move to the "delivered" following the completion of the restructure.
- 2 **PLA Sav 24: Parking charges increase 30p/30min**. Mitigations: Pay & Display continues to be significantly affected by the national lock-down, as the easing of lock-down occurs we are expecting to see an increase in Pay & display transactions for both on street and off street. Monthly monitoring of transactions in place. The impact of Covid19 and the ongoing national restrictions on pay and display income, and as such the council is seeking to recover through MHCLG.
- 3 **MTFS HWA**, 22/23 and 23/24 assurance less well defined due to future unknowns
- 4 **MTFS Resources**, 22/23 and 23/24 assurance less well defined due to future unknowns
- 5 **Governance review**: Implementation is on hold pending resolution of resource issues
- 6 **Centre for Scrutiny and Governance (CfGS)**: Work supported by CfGS is underway to deliver programme

THINGS TO DO BETTER

Things to do better will highlight projects that are not on target to deliver milestones as and when expected

- 1 None at the present time
- 2

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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