

Executive Decision Report

Decision maker and date of Leadership Team meeting or (in the case of individual Lead Member decisions) the earliest date the decision will be taken	Leadership Team 9 January 2019 Forward Plan reference: 05333/18/K/A Portfolio: Cllr Kim Taylor-Smith, Deputy Leader, Grenfell and Housing	 THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
Report title	LOCAL LETTINGS PLAN FOR THE LANCASTER WEST ESTATE AND BRAMLEY HOUSE	
Reporting officer	Maxine Holdsworth, Director of Housing Needs and Supply	
Key decision	Yes	
Access to information classification	Public	

1. EXECUTIVE SUMMARY

- 1.1. Following the Grenfell tragedy, the Council suspended the letting of Council residential properties on the Lancaster West Estate and in Bramley House.
- 1.2. Following close engagement between the Council and the residents of the Estate and of Bramley House, and in particular the respective resident associations, it has been agreed that vacant rental properties might first be made available through a local lettings plan.
- 1.3. A four week public consultation on a draft plan was held in November 2018, representing the final stage of consultation with residents. This paper recommends a final Local Lettings Plan for the Lancaster West Estate and Bramley House, having taken into account the consultation.
- 1.4. If the proposed Local Lettings Plan is adopted, it is anticipated that it will 'go live' towards the end of January 2019.

2. RECOMMENDATIONS

- 2.1. This paper recommends that the proposed Local Lettings Plan for the Lancaster West Estate and Bramley House, developed in close consultation with residents, be adopted. The proposed Plan is provided at appendix A.

3. REASONS FOR DECISION

- 3.1. The Council introduced the Wider Grenfell Rehousing Policy to help tenants of the Walkways, Treadgold House and Bramley House to move to another social housing tenancy if they did not feel able to continue living close to Grenfell Tower. The Wider Grenfell Rehousing Policy does not help residents who wish to remain within the community, but need a better home; for example, because they are overcrowded in their current home.
- 3.2. Through a local lettings plan Council properties on the Lancaster West Estate and in Bramley House that are empty and available will be offered first to existing residents of the Estate and Bramley House, who
 - need and want to move to a more suitable home, and
 - wish to remain in the area and part of the community.

4. BACKGROUND

The need for a more suitable home

- 4.1. The Grenfell Tower tragedy was a humanitarian disaster on an unprecedented scale within the borough. The loss of life and harrowing events of the fire as well as its aftermath have devastated an entire community.
- 4.2. As part of the wider emergency response and transition towards recovery, the Council introduced two rehousing policies. The Grenfell Rehousing Policy, June 2017 and amended in November 2017 (05084/17/H/AB and KD05153 respectively) facilitates the rehousing of former residents of Grenfell Tower and Grenfell Walk to new permanent homes. The Wider Grenfell Rehousing Policy February 2018 (05128/17/H/A) facilitates the rehousing of Council tenants of Barandon Walk, Hurstway Walk, Testerton Walk, Treadgold House and Bramley House to alternative social housing if they feel they cannot remain in their current homes near Grenfell Tower.
- 4.3. The majority of Council tenants living in the vicinity of Grenfell Tower remained living in their homes. However, many residents and families are living in unsuitable homes, confirmed by home visits and welfare checks in the weeks following the tragedy, tenancy audits in the summer of 2018, and applications to the Housing

Register from residents of the Estate and Bramley House. Further, a number of residents placed in emergency accommodation following the fire (now residing in self-contained temporary homes) wish to return home but are unable to do so because their property is not suitable; for example due to physical mobility problems.

- 4.4. The vast majority of tenants on the Lancaster West Estate and Bramley House wish to remain within a community that has grown even stronger following the Grenfell tragedy. However, living in an unsuitable home is likely to impede long term recovery.
- 4.5. The Local Lettings Plan aims to help tenants move to a more suitable home within their existing community and thereby support their recovery from the tragedy.

Vacant homes on the Lancaster West Estate and Bramley House

- 4.6. The Council suspended lettings of vacant properties following the Grenfell tragedy primarily due to an awareness of the psychological impact of the unwrapped Tower. Tenants and residents traumatised by the events of 14 June 2017 understandably needed time to consider whether they would feel able to remain living on the Estate or in Bramley House. There was also a need to discuss the future of the Lancaster West Estate and Bramley House with residents and residents' associations.
- 4.7. Following the completion of the wrapping of Grenfell Tower in June 2018, the benefit of offering vacant homes on the Estate and in Bramley House to existing tenants emerged through discussions with residents and the residents' associations.
- 4.8. Tenants of the Walkways, Treadgold House and Bramley House currently residing in temporary homes have been asked by the Council to make the difficult decision to return to their existing homes or to relinquish their tenancy if they do not feel able to return. Homes relinquished by existing tenants will present the most important supply of suitable accommodation for tenants who wish to remain in the community but need a better home. Homes vacated by tenants who are rehoused through the Wider Grenfell Rehousing Policy will also supply the proposed Local Lettings Plan. It is worth noting that the average turn-over rate within the rental stock before the Grenfell tragedy was lower on the Lancaster West Estate and in Bramley House (1.88%) than across the whole of the Council's stock (2.87%).
- 4.9. Restricting a local letting plan to the Walkways, Treadgold House and Bramley House would have limited the opportunities for tenants to move to a more suitable home, not least because some tenants living in unsuitable homes closer to Grenfell Tower wish to remain within the community but would welcome the opportunity to move further away. The inclusion of the rest of the Lancaster West Estate within the proposed Local Lettings Plan increases the total stock of rental Council homes from 338 within the 'Wider Grenfell Policy' area to 627. In addition to the Barandon Walk, Hurstway Walk and Testerton Walk, Treadgold House and Bramley House, the following residential blocks will be included in the Plan: Camborne Mews,

Camelford Court, Camelford Walk, Clarendon Walk, Lower Clarendon Walk, Upper Clarendon Walk, Morland House, Talbot Grove House, Talbot Walk, Upper Talbot Walk, Verity Close.

- 4.10. Lettings to the Lancaster West Estate and to Bramley House represent, on average, 5.5% of the Council's total annual lettings of social housing, and 13.8% of annual lettings of Council rental properties.

The table below shows how many properties became available across the Lancaster West Estate and in Bramley House between April 2013 and March 2017.

Year	Lettings on Lancaster West / Bramley House	Lettings to LWE / BH as % of all lettings	Lettings to LWE / BH as % of all Council only lettings
2013/14	19	4.3%	10.8%
2014/15	27	5.3%	14.7%
2015/16	23	5%	11.9%
2016/17	33	7.6%	17.6%
2013/17	102	5.5%	13.8%

- 4.11. Vacant homes let through the Local Lettings Plan will be brought up to a high standard before allocation. This means that homes relinquished by existing tenants will not be made available straight away. Works will be carried out to properties before they are advertised.

Mutual Exchange Scheme for Council Tenants

- 4.12. The Council intends to launch a local mutual exchange scheme which will help all Council tenants to exchange homes if they wish to do so. Tenants do not need to be in housing need to swap their home with another council tenant; they may live in a suitable property but simply wish to live in a different location.

5. PROPOSAL AND ISSUES

- 5.1. The recommended Local Lettings Plan for the Lancaster West Estate and Bramley House is provided at appendix A. A frequently asked questions leaflet accompanying the Plan is provided at appendix B. Key principles are summarised as follows.

Qualification for the Local Lettings Plan

- 5.2. Residents may qualify for the Local Lettings Plan if they live on the Lancaster West Estate or in Bramley House, and were doing so at the time of the Grenfell Tower tragedy and are
- i. a Council tenant with a secure tenancy, living at home on the Lancaster West Estate or in Bramley House, or
 - ii. a Council tenant with a secure tenancy on the Lancaster West Estate or in Bramley House who is living away from home, would like to return home, but is unable to do so because their home is very unsuitable, or
 - iii. a resident who has been placed by the Council in temporary accommodation on the Estate or in Bramley House as a statutorily homeless household, or
 - iv. an adult member of a Council tenant's overcrowded household where the family as a whole need a four bedroom property or larger and the adult member (meaning that the adult household member may be rehoused separately, or
 - v. an adult member of a Council tenant where the current home has three or more bedrooms and the tenant is willing to move to a smaller home if the household member is rehoused to a studio or one-bedroom property.
- 5.3. The purpose of allowing 'split households under (iv) and (v) above is to address the demand for, but lack of, larger properties across the Estate and in Bramley House, and by extension, address overcrowding. In doing so, this aspect of the Local Lettings Plan addresses not only housing need but it also recognises the deep impact the Grenfell Tower tragedy has had on residents of the Lancaster West Estate and Bramley House, and the importance of addressing housing need (to aid recovery) whilst at the same time allowing family members in overcrowded conditions and / or larger properties to remain within the community.
- 5.4. Where households are permitted to split to alleviate overcrowding (where otherwise the whole household would require a larger property) none of the resulting multiple households will be allowed to under occupy their home. This means, for example, that adult family members within an overcrowded household that needs for four bedroom home or larger may be rehoused to their own tenancy. However, neither they, or the remaining tenant in the original home will be allowed to under occupy. Households may split only to create the right household fit for each property.
- 5.5. Residents will also need to qualify for at least one of the priority categories in order to qualify for the Local Lettings Plan.

Priority for rehousing under the Local Lettings Plan

- 5.6. Residents qualifying for the Local Lettings Plan will be granted a priority for rehousing based on their housing need. The Plan proposes uses relevant priorities set out in the Council's Allocation Scheme, but also recognises lower levels of need, such as lacking one bedroom or where a disability or long-term health condition clearly affects a family member's independence in the existing home. The need to include lower levels of need within the Plan, in order to help families and aid recovery, was a clear theme emerging from initial discussions with residents.

Recommending suitable properties

- 5.7. The assessment of a family's needs and the definition of a suitable property (size and accessibility) will be based on criteria set out in the Council's Allocation Scheme.

Tenancy rights including succession

- 5.8. Properties allocated through the Local Lettings Plan will be let on lifetimes tenancies.
- 5.9. Residents rehoused through the Local Lettings Plan will **not** be granted tenancy rights, including the right to succession, that are more limited than the rights they possess at present.

Rent and service charges

- 5.10. Tenants will pay the same rent and the service charges that would be paid if the home was let to a resident on the Housing Register. This means that the rent and service charges will not be capped to the amount tenants paid for their previous home.
- 5.11. Under occupying tenants who wish to move to a smaller home will not pay more rent for their new home, paying the lower of the proper rent for the new home or the same level of rent they paid for their previous home.

Length of the Local Lettings Plan

- 5.12. It is proposed that the Local Lettings Plan will run for two years initially.
- 5.13. A review of the Plan will commence after 18 months to consider whether the original grounds for the Plan still exist, and whether it should be renewed, amended or brought to an end. The Council will engage fully with the residents of the Lancaster West Estate and Bramley House when undertaking this review.

6. OPTIONS AND ANALYSIS

Options

- 6.1. The proposal to let vacant properties across the Lancaster West Estate and Bramley House emerged through discussions with residents and the respective residents' associations. Therefore, the idea is very much one of 'co-design' and the input of residents and the residents' associations have been valuable in shaping the proposed Plan.
- 6.2. The proposed Local Lettings Plan not only aims to address housing need but also reflects both the impact of the Grenfell Tower tragedy upon residents of the Estate and Bramley House and the desire and need for residents to remain in the community, in suitable housing, as they progress along a long and difficult road to recovery. A Local Lettings Plan forms one part of a wider recovery framework which includes the future of Grenfell Tower and the site, the future of and investment in the Lancaster West Estate and Bramley House, the Wider Grenfell Rehousing Policy, and wider support in terms of healthcare, economic development and investment in and empowerment of the community.
- 6.3. Nevertheless, the Council considered alternative routes to allocating vacant properties on the Estate and across Bramley House and to addressing housing need on the Estate.
- 6.4. Letting through the Council's Allocation Scheme and Housing Register.

Vacant properties could be allocated to residents on the Housing Register using the criteria set out in the Allocation Scheme; ie using existing rehousing mechanisms. However, doing so would risk weakening rather than supporting a community deeply affected by the Grenfell Tower tragedy as vacant properties might be let to residents who do not live on the Estate or in Bramley House and were not directly or indirectly affected by the tragedy but have a higher priority for rehousing under the Scheme.

Further, residents on the Estate and in Bramley House clearly articulated a view that the thresholds of housing need required to qualify for the Housing Register (for example, lacking two bedrooms in order to be classified as overcrowded) were too high to effect transfers to suitable housing and thereby support recovery. In other words, the main Allocation Scheme (whose high thresholds are designed to provide a realistic expectation of rehousing given limited supply) would only assist those in the greatest need of rehousing, leaving many families struggling to recover in the physical and psychological shadow of the Tower.

- 6.5. Addressing housing need through mutual exchange.

It is possible that residents and families in need of a better home could swap their tenancy with other Council (or social housing) tenants in the community in order to

move to a better property. However, the likelihood of a resident in housing need finding a suitable home through mutual exchange is far lower than through an Allocation Scheme or a local lettings plan. An overcrowded family would rely on finding an under occupying tenant who wishes to downsize into their home, while a tenant with physical mobility problems would rely finding a tenant who lives in an accessible home but does not require it and who also wishes to exchange.

The Council does intend to launch a local mutual exchange scheme which will help all Council tenants to exchange homes if they wish to do so. Tenants in need of a better home can also apply to the mutual exchange scheme, but the scheme will also allow tenants currently in suitable homes to exchange. Therefore, it will complement the Local Lettings Plan, and present rehousing opportunities to all Council tenants.

Analysis

- 6.6. It is difficult to predict how many residents who will qualify for the Local Lettings Plan will apply to be rehoused through it. As of 19 December 2018, 60 households living on the Lancaster West Estate or Bramley House were registered on the Council's Housing Register for rehousing (excepting those awarded Wider Grenfell Rehousing priority). In other words, this number of households have applied for rehousing and been assessed as residing in unsuitable housing. Households who do not qualify under the main Allocation Scheme but qualify for the Local Lettings Plan (such as households lacking one bedroom) are likely to apply.
- 6.7. Demand for larger properties (three bedroom or larger) is likely to be far greater than the supply thereby limiting the opportunities for larger families to be rehoused through the Local Lettings Plan. The Plan aims to mitigate against this by allowing adult non-dependents to be rehoused separately where either the family as a whole requires a four bedroom property or larger, or where a tenant living in a three bedroom or larger property is willing to downsize to a smaller property.
- 6.8. The demand for accessible and step-free accommodation is likely to be greater than the supply of accessible accommodation across the Estate and in Bramley House. Residents living in accessible accommodation but who do not require it can receive a high priority for rehousing, plus other incentives, if they are willing to move to a general needs property with steps in order to free up accessible housing. The Council will also assess and advise whether adaptations may better address a resident's challenges within their current home than rehousing to an alternative property.
- 6.9. Up to 80% of the first wave of properties let through the Local Lettings Plan are likely to be studio and one bedroom properties, unsuitable for larger families. A

large proportion of existing households on the Estate and in Bramley House comprise of single people or couples who, unless they are moving on medical grounds, will not be prioritised for alternative studio or one bedroom properties. However, this supply of smaller properties may offer opportunities for under occupying tenants or those occupying three bedroom properties or larger to downsize (if they wish to do so) thereby freeing up much needed larger properties.

- 6.10. As of 19 December 2018 54 Council tenants from the Walkways, Treadgold House and Bramley House were residing in a temporary home considering whether they feel able to return home or wish to relinquish their tenancy pending rehousing under the Wider Grenfell Rehousing Policy. Homes relinquished by these tenants will be offered first to residents qualifying for the Local Lettings Plan.

Risks

- 6.11. The Wider Grenfell Rehousing Policy awarded a high priority for rehousing to Council tenants in Barandon, Hurstway and Testerton Walk, Treadgold House and Bramley House without increasing the supply of social housing.
- 6.12. Lancaster West is one of the largest concentrations of council housing in the borough. While vacant properties not taken up by participants in the Local Lettings Plan will be offered to residents on the Housing Register, ring-fencing arising void properties for Lancaster West Estate and Bramley House residents (including splitting adult household members of larger families) is likely to reduce the availability of void properties to the rest of the housing register. This leads to:
- A risk of legal and / or equalities challenge from residents on the Housing Register.
 - A risk of financial costs associated with delay to rehousing statutorily homeless families in temporary accommodation, given the costs to the Council of such accommodation.
 - A risk of being not being able to meet acute housing need on the rest of the housing register including from temporary accommodation.
- 6.13. Mitigation actions include the extensive consultation, time limiting the time period over which the Plan will initially apply and reviewing its impact after 18 months, and a robust Equalities Impact Assessment that will also be subject to review.

7. CONSULTATION AND COMMUNITY ENGAGEMENT

- 7.1. The Council worked closely with residents of the Estate and Bramley House whose views were extremely helpful in shaping proposals for the Local Lettings Plan.
- 7.2. Further to discussions with the Lancaster West Residents' Association and the Bramley House Residents' Association, the following consultation activities have been undertaken:
- independently facilitated consultation workshops with residents of the Lancaster West Estate and Bramley House, 16 and 17 August 2018.
 - invitation to consult with Notting Dale Ward Councillors
 - invitation to consult with local advice agencies, specifically North Kensington Law Centre, The Citizens Advice Bureau, and Shelter
 - presentation of the Local Lettings Plan consultation draft to the Grenfell Recovery Scrutiny Committee on 27 November 2018.
- 7.3. A four week public consultation, which ran up to the 30 November 2018, represented the final stage of consultation. A paper copy of the draft plan, accompanied by a short survey, was sent to all tenants and residents in temporary homes living on the Lancaster West Estate and in Bramley House (details also appeared on the Council's website). Residents on the housing register were also written to and directed to an electronic copy of the draft plan and survey on the Council's website.
- 7.4. A total of 72 responses were received to the survey by the closing date of 30 November 2018. Local advice agencies providing specific advice and support on issues relating to the Grenfell tragedy, Kensington and Chelsea Citizens Advice Bureau, Shelter and North Kensington Law Centre, also responded to the consultation.
- 7.5. Analysis of the feedback to the public consultation presented by the Council's Community Engagement Team is provided at appendix C.
- 7.6. The majority of respondents to the survey (81%) were in favour of its introduction. Five respondents (7%) were against its introduction and 11% did not express a view in support or against. The advice agencies broadly welcomed the proposed Plan.
- 7.7. Nevertheless, a number of concerns about the draft version of the Local Lettings Plan were raised within the consultation by residents and by the three local advice agencies. These themes and the Council's response to them are presented below.

Impact of the Local Lettings Plan on the rehousing prospects of residents on the Housing Register

- 7.8. The advice agencies and a small minority of residents expressed concern that a local lettings plan would have a detrimental impact upon the rehousing prospects of residents on the Housing Register. As of 19 December 2018, there were 3,204 applications to the Housing Register (3,338 including residents who have been awarded Wider Grenfell Rehousing Priority (WGRP)). 516 households require a three bedroom property (558 including WGRP), 123 require a four bedroom property (143 including WGRP), 16 require a five bedroom property (17 including WGRP), and 3 require a six bedroom property (no WGRP households require a six bed).
- 7.9. Where Council tenants move to a more suitable property under the Local Lettings Plan, they will free up a property for further letting. Vacant properties not taken by tenants of the Estate or Bramley House will be made available to residents on the Housing Register, thereby creating a 'chain lettings effect'.

Residents placed in temporary homes by the Council, who move under the Plan, will not create rehousing opportunities for other tenants, or residents on the Housing Register. However, such moves will free up much needed local temporary accommodation for other statutory homeless households. Further, while the Council ensures that households placed in temporary accommodation are provided with suitable temporary homes, these families have less choice about the location of this accommodation; far less choice than private rented sector tenants and lodgers. The majority of households placed in temporary homes on the Estate and in Bramley House have become part of the community and remaining within that community will aid their recovery from the Grenfell tragedy.

Therefore, by focusing on the needs of tenants and residents it has placed in temporary accommodation the Council aims to assist those for whom it has a direct responsibility as landlord.

It is expected that there will be a limited supply of larger properties (three bed and larger) and of accessible accommodation made available through the Local Lettings Plan. Acknowledging the number of overcrowded households living in the Estate and in Bramley House and the need for larger properties, this is why the Council is proposing that adult members of households who require a four bedroom properties or larger, or adult members of tenants willing to downsize from a three bedroom or larger property, can be rehoused separately.

Nevertheless, the impact upon the rehousing prospects of residents on the Housing register is expected to be mitigated by the fact that vacancies within the Lancaster West Estate and in Bramley House represented only 5.5% of all Council social housing allocations between 2013 and 2017, and by the chain lettings effect. Further, the limited supply at present of larger properties and accessible properties on the Estate and in Bramley House is likely to mean that the opportunities for larger families on the Housing Register, and those who require accessible accommodation will not be significantly restricted.

Looking further ahead, the Council has announced its clear intention to increase the supply of social housing within the Borough: see *Kensington and Chelsea Homes; solving the challenge together (October 2018)*. This includes allocating homes in the new Bomore Road housing development which will not fall within the Local Lettings Plan for the Lancaster West Estate and Bramley House. The Council will, in due course, give very careful consideration to how it will make available new homes in the Bomore Road development to residents in housing need.

Finally, the Equalities Impact Assessment (EIA) accompanying this report focuses on the potential impact on the Local Lettings Plan on residents on the Housing Register. The EIA will be subject to review if the Local Lettings Plan is approved and implemented.

Qualification for the Local Lettings Plan should be extended to a wider group of residents

- 7.10. The advice agencies and a small number of residents responded to the survey stating that private sector residents, lodgers, adult members of secure tenanted households, and perhaps residents outside of the Lancaster West Estate and Bramley House should also qualify for the Local Lettings Plan, as they were also members of the local community and had been deeply affected by the Grenfell Tower tragedy.
- 7.11. The primary purpose of the proposed Local Lettings Plan is not to provide rehousing opportunities to residents deeply affected by the Grenfell Tower tragedy (though it may offer the opportunity for some residents understandably affected by the fire and who are struggling in their current home due to its proximity to the Tower, to move further away while remaining in the community). Rather, the Local Lettings Plan is designed to help tenants and families who are living in unsuitable homes move to a more suitable home while remaining in the community and close to their existing support networks as this will support their recovery.

The Council has provided alternative routes to support and assistance for those tenants and residents deeply affected by the fire.

For example, the Wider Grenfell Rehousing Policy provides a route to an alternative social housing tenancy for tenants and their families who no longer feel able to remain in their homes in the Walkways, Treadgold House and Bramley House. (The overwhelming majority of tenants who remained in temporary homes in the weeks and months following the tragedy, unable to return home, held tenancies in the Walkways.)

The Council has also provided advice and support, temporary homes (and a path to rehousing) and in some instances an exceptional priority for rehousing, to tenants and residents deeply affected by the tragedy who did not or do not reside on the Lancaster West Estate or in Bramley House. In doing so, the Council has

demonstrably provided support to residents affected by the tragedy who require rehousing to aid their own recovery.

The request to extend the Local Lettings Plan to residents who are not tenants of the Council is likely to have a detrimental impact upon residents on the Housing Register, as rehousing them will not result in vacant Council properties available for allocation.

Alongside a Local Lettings Plan for the Lancaster West Estate and Bramley House, the Council also plans to launch its own mutual exchange scheme for Kensington and Chelsea Council tenants, through which tenants across the whole stock can swap homes with other Council tenants whether or not they are in housing need. Further, the Council is developing a new *Management Transfer Policy* through which tenants residing in substantially unsuitable homes can be rehoused to more suitable homes within the Council's housing stock.

The Council does acknowledge that the Grenfell Tower tragedy has had a deep impact upon Council tenants and other residents beyond the Lancaster West Estate and Bramley House; for example, tenants of the Silchester Estate. The Council will, in discussion with tenants, explore how the housing and wider needs of residents living beyond the Lancaster West Estate and Bramley House might be better recognised and addressed.

Alternative 'tie-breaker' for tenants with the same priority for rehousing through the Local Lettings Plan

- 7.12. The public consultation draft Local Lettings Plan proposed that where two or more households with the same rehousing points are interested in the same property, the property will be offered first to the household who has lived the longest on the Lancaster West Estate or in Bramley House. The start date for this length of residency would be known as the 'priority date'.
- 7.13. The three advice agencies opposed this idea, recommending that the Council conduct a comprehensive, meaningful needs assessment of each family to determine which household should have a higher priority for a vacant property.
- 7.14. The Council does not believe this approach to defining relative priority would be appropriate or feasible for a number of reasons.

Firstly, as stated above, the primary aim of the Local Lettings Plan is to help to alleviate unsuitable housing conditions for households who wish to remain part of their community: there are alternative routes to supporting residents whose primary purpose of moving is the impact of the Grenfell tragedy upon their lives and the lives of their families. The Plan might be one factor in helping residents recover from the tragedy, that will also include medical and healthcare support and the support of their community, their family and their friends. While length of residency on the Estate or in Bramley House does not necessarily equate to the extent to the local

community is important to a resident, the Council believes it is a fair, proportionate and transparent way to determine who should be first offered a property where two or more residents with the same priority have expressed an interest in it.

Secondly, it would not be possible or appropriate to implement a transparent rehousing policy that compares one household's experience of trauma directly against another's in order to determine who might receive an offer of alternative housing. Working with partners, the Council must work with families affected by the tragedy to understand and attempt to meet their housing and wider needs. However, the Council holds the view that directly comparing one resident's trauma to another's will not serve this aim.

Residents whose current home is unsuitable due to the impact of the Grenfell tragedy and who, nevertheless, wish to remain on the Lancaster West Estate or Bramley House, can apply for a comprehensive, meaningful assessment of their need (or priority) to move on health grounds.

Cap on rent and service charges

- 7.15. One local advice agency recommended that the rent and services charges for properties let through the Local Lettings Plan should be capped at the amount the successful tenant paid for their previous property.
- 7.16. Only the Grenfell Rehousing Policy (for former residents of Grenfell Tower and Grenfell Walk) commits to capping rent and services charges at levels based on those paid by tenants in their previous homes. All other rehousing policies (the Council's main Allocation Scheme, the Wider Grenfell Rehousing Policy and the proposed Local Lettings Plan) do not provide for such a cap.

Establishing new rents and service charges for new Council tenancies helps the Council better manage its capital investment programme and supports borrowing against the Housing Revenue Account for investment in new and existing homes. It should be noted that, under Government regulations, social housing rents will continue to fall by 1% each year until 2020.

Further, capping rent and service would prove unaffordable to the Housing Revenue Account as its cost could only be met by reduction in service provision to other tenants across the borough.

Paid work

- 7.17. One local advice agency recommended that 'paid work' (50 points) be included within the priority categories set out in the Local Lettings Scheme.
- 7.18. The primary purpose of the proposed Local Lettings Plan is to help tenants and families who are living in unsuitable properties move to a more suitable home while remaining in the community and close to their existing support networks. Moving to

a more suitable home within their locality will play a part in helping tenants, and the wider community, recover from the Grenfell Tower tragedy. Prioritising tenants within the Plan on the basis of paid work will not address unsuitable housing.

Property size

- 7.19. References were made in a small number of responses to the unsuitability of studio properties that, under the proposed Plan, can be considered suitable for single persons or a couple without other family members.
- 7.20. The Council agrees that studio properties are far from ideal for most couples and many single people and does not support the building of new studio sized social housing within the Borough. However, studio properties make up a significant proportion of smaller social housing properties both on the Lancaster West Estate and in Bramley House, and across the Borough more broadly. In order to maximise the opportunities for rehousing (for example to adult non-dependents being rehoused separately from their families), the Council will let studio properties to single persons and to couples. Residents will not be compelled to express an interest in or accept a studio property offered to them through the Local Lettings Plan.

8. EQUALITIES IMPLICATIONS

- 8.1. The Equalities Impact Assessment can be found at appendix D

9. LEGAL IMPLICATIONS

- 9.1. Section 166A(6)(b) of the 1996 Housing Act enables local authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of s. 166A(3). This is the statutory basis that allows local authorities to adopt local lettings policies for certain parts of the social rented stock within their area. In line with the statutory provisions, the Council's main Housing Allocation Scheme February 2017 permits special dispensation allocations, a local lettings plan falls under the special category where the Council can publish a policy for allocation outside of the criteria listed in the main scheme, but is still considered to be an allocation within the Allocation Scheme.
- 9.2. The recommendations within the report provide a sound rationale and basis to adopt the proposed lettings plan. Further, Counsel's opinion has been sought and his views are incorporated within the body of the report.

10. FINANCIAL, PROPERTY AND ANY OTHER RESOURCES IMPLICATIONS

10.1. This report is concerned with a method of allocating existing property and as such has limited financial implications. For the HRA the same number of units of social housing are subject to the same rents and service charges. As there is no reason to believe that the local policy will affect letting times, there is no direct financial impact. For the General Fund there may be an impact from the allocation of a property to a split household, if this means that a unit of social housing cannot be used to rehouse a family in temporary accommodation. It is hard to quantify this. It is also worth noting that the report indicates that rehousing the split household into two or more units will reduce the need to provide large units, which is a real problem, admittedly falling to the HRA. It is therefore considered that any impact on the general fund will be small, hard to identify and containable within existing Temporary Accommodation budgets.

Maxine Holdsworth, Director of Housing Needs and Supply
Local Government Act 1972 (as amended) – Background papers used in the preparation of this report

None

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Formal clearance requirements for all key decision reports

Cleared by Finance (officer's initials)	[SM]
Cleared by <u>Corporate</u> Finance (officer's initials)	[FA]
Cleared by Legal Services (officer's initials)	[SM]
Cleared by Communications & Community Engagement (officer's initials)	[KT]



Appendix A

THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

Local Lettings Plan for Lancaster West Estate and Bramley House January 2019

Who qualifies for the Local Lettings Plan?

Members of the community who live on the Lancaster West Estate or in Bramley House, and were resident at the time of the Grenfell Tower tragedy, who are

- i. Council tenants with a secure tenancy, living at home

or
- ii. Council tenants with a secure tenancy who are living away from home, would like to return home, but unable to do so because their home is very unsuitable

or
- iii. residents who given a home to rent on the Estate or in Bramley House by the Council (under 1996 Housing Act section 188 or 193) and do not hold a secure tenancy

or
- iv. household members of Council tenants who:
 - are aged 18 or over
 - are a son, daughter, parent, grandparent, or grandchild of the tenant, or otherwise have an exceptional need to live as part of the household
 - live with the tenant as their main and principal home

and where:

- the home they live in is overcrowded and the family needs a four-bedroom property or larger (more than one household member may be rehoused until the remaining family are no longer overcrowded or no longer require a four bedroom property or larger), or
- they live in a home with three or more bedrooms, and are willing to move to a smaller home if their household member is rehoused to a studio or one-bedroom property through the Local Lettings Plan.

Residents must also meet the criteria for at least one of the priority categories set out below in order to qualify for the Local Lettings Plan. The above residents will be referred to as 'qualifying resident' within this Plan.

What properties will become available through the Local Lettings Plan?

Council properties for rent on the Lancaster West Estate or in Bramley House that become available for let (as a 'true void').

If a Council property becomes available because the existing tenant has moved to another home through the Local Lettings Plan, the property will be made available to let through the Local Lettings Plan.

If an available property is not let to a qualifying resident after a reasonable period of time, it will be made available to residents on the Council's Housing Register.

How long will the Local Lettings Plan last?

The Local Lettings Plan will run for two years following its implementation.

A review of the Local Lettings Plan will begin no later than 18 months after its implementation, to determine whether the Plan should end, be amended, or be renewed. The Council will engage fully with the residents of the Lancaster West Estate and Bramley House when conducting this review.

How will qualifying residents be prioritised under the Local Lettings Plan?

The following priority categories and points levels will be used when letting properties under the Local Lettings Plan to qualifying residents of the Lancaster West Estate and Bramley House. No other priority categories will be used.

The first six categories (in yellow) currently exist under the Council's main Housing Allocation Scheme. The five further categories (in green) are additional priorities provided within this Local Lettings Plan.

The Local Lettings Plan falls within the Council's Allocation Scheme, the main process for allocating social housing. Therefore, residents who would qualify for rehousing under the main Allocation Scheme will be given the highest priority under the Local Lettings Plan. However, additional priorities are included to help resolve housing need on the Lancaster West Estate and in Bramley House, and to help residents who might not qualify for the main Housing Register.

A detailed explanation for the priority bands will be provided in a frequently asked questions leaflet.

Points award	Priority category
2000	Very urgent need, being exceptional priority and emergency medical need
1900	Serious risk of harm
900	High medical need
700	Downsizing from an under-occupied home, or freeing up an accessible home
700	Adopting or fostering a child
200	Lacking two or more bedrooms in the current home
100	Moving from a temporary home provided by the Council
80	Medical need
50	Lacking one bedroom in the current home
20	Household members of Council tenants living in a home lacking two bedrooms or more
10	Household members of Council tenants living in a home lacking one bedroom

5	Moving closer to family
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Combining priorities for rehousing

Qualifying residents may be awarded points for more than one category; for example, having a high medical need and lacking two or more bedrooms **except** for the following categories.

- Qualifying residents awarded exceptional priority, emergency medical or serious risk of harm can only be awarded these categories – they cannot be combined with any other category
- Lacking two or more bedrooms cannot be combined with lacking one bedroom (either for tenants, or for household members)
- Moving from a temporary home cannot be combined with downsizing or freeing up an accessible home.

Combining medical points

Medical points can be awarded for each member of a household that is assessed as needing to move on health grounds. Therefore, one household member might be assessed as qualifying for 900 high medical points, and another as qualifying for 80 low medical points, bringing the total points to 980.

What happens if two or more households have the same priority?

Where two or more households with the same rehousing points are interested in the same property, the property will be offered first to the household with the greatest length of residence on the Lancaster West Estate or in Bramley House.

The start date for this length of residency is known as the 'priority date'.

How will accessible properties be allocated?

Properties that are suitable for residents with mobility problems will be prioritised to residents who need them. This means that an accessible property will be offered to a resident with mobility problems before it is offered to someone with no mobility needs, even if the resident with mobility problems has less points.

Allocating properties outside of the Local Lettings Plan

Sometimes, available properties on the Lancaster West Estate or in Bramley House may be allocated outside of this Local Lettings Plan. This may happen in the following circumstances:

- where it is offered to a former resident of Grenfell Tower or Grenfell Walk who has expressed an interest in the property
- where it is an accessible property, it has not been chosen by a qualifying resident of the Lancaster West Estate or Bramley House who needs that type of property, and it can be offered to someone on the Council's Housing Register who needs an accessible property
- where it is offered to someone on the Housing Register who has been awarded exceptional priority, emergency medical priority, or serious risk of harm priority
- where it is required for an urgent decant or transfer of an existing Council tenant.

How will suitable bedroom sizes be decided?

The size of home each resident and their household needs will be assessed as set out below:

	One person	Couple	Two adults not living as a couple	One adult or a couple plus					
				One child or other adult	Two children of the same sex aged 20 or under	Two children of opposite sexes aged 9 or under	Two children of opposite sexes, one or both aged 10 or over	Three children	Four or more children
Studio	X	X							
One bed	X	X							
Two bed			X	X	X	X			
Three bed							X	X	X
Four or more bedrooms									X

Will the homes let under the Local Lettings Plan be on a lifetime tenancy?

Residents rehoused to a new home under the Local Lettings Plan will be granted a periodic (lifetime) secure tenancy.

What rent will residents pay for a home let under the Local Lettings Plan?

Residents will pay the rent and the service charges applicable to the new property when they move to a new home. The rent will not be capped at the rent they paid for their previous home.

Residents who have spare bedrooms in their current home, who move to a smaller home, will not pay more rent for their new home. When they move they will pay the lower of:

- the rent applicable to their new home
- the same level of rent they paid for their previous home.

If a resident moves, will the right to succeed their tenancy be affected?

If a resident moves to a new home under the Local Lettings Plan, their new tenancy will have at least the same succession rights as their current tenancy.

If there has been no succession to their current tenancy, their new tenancy will have exactly the same rights to succession as they have at the moment.

If the tenancy for the home they live in has already been succeeded to they will be given new succession rights when they move to a new home under the Local Lettings Plan. However, only a husband, wife, or civil partner will be able to succeed to the tenancy.

Appendix B

Frequently Asked Questions Local Lettings Plan for Lancaster West Estate and Bramley House



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

January 2019

What does the Local Lettings Plan do?

Council properties on the Lancaster West Estate and in Bramley House that are empty and available will be offered first to existing residents of the Estate and Bramley House, who

- need and want to move to a more suitable home, and
- wish to remain in the area and part of the community.

Why is a Local Lettings Plan being recommended?

The Council introduced a rehousing policy to help tenants of the Walkways, Treadgold House and Bramley House to move to another social housing tenancy if they did not feel able to continue living close to Grenfell Tower (the Wider Grenfell Rehousing Policy). This policy does not help residents who wish to remain within the community, but need a better home.

We believe that a Local Lettings Plan may help you if, for example, you are overcrowded and need a larger property, you need a more accessible home, or you are currently living in a temporary home provided by the Council and you would like to move to a more suitable home within the area.

We have worked closely with residents of the Estate and Bramley House whose views have been extremely helpful in shaping proposals that we hope will help members of the community.

Who qualifies for the Local Lettings Plan?

You may qualify for the Local Lettings Plan if you live on the Lancaster West Estate or in Bramley House, **and were doing so at the time of the Grenfell Tower tragedy** and you are:

- i. a Council tenant with a secure tenancy, living at home on the Lancaster West Estate or in Bramley House, or
- ii. a Council tenant with a secure tenancy on the Lancaster West Estate or in Bramley House who is living away from home, would like to return home, but

you are unable to do so because your home is very unsuitable.
For example, your home might be unsuitable because you, or a member of your family, cannot use stairs but your home has many internal or external steps, or

- iii. you have been given a home to rent on the Estate or in Bramley House by the Council (under 1996 Housing Act section 188 or 193), but you do not hold a secure tenancy and you wish to move to a more settled home, or
- iv. you are a household member of a Council tenant who:
 - is aged 18 or over, and
 - you are a son, daughter, parent, grandparent, or grandchild of the tenant, or otherwise need to live as part of the household - for example, because you provide necessary care to, or receive care from, another member of the household, and
 - you live with the tenant as your main home

and where:

- the home you live in is overcrowded and as a family you need a four-bedroom property or larger (more than one adult member of your household can be rehoused separately until the remaining family are no longer overcrowded or no longer require a four bedroom property or larger), or
- you live in a home with three or more bedrooms, and the tenant is willing to move to a smaller home if you are rehoused to a studio or one-bedroom property through the Local Lettings Plan.

You will also need to qualify for at least one of the priority categories explained below in order to qualify for the Local Lettings Plan.

How will qualifying residents be prioritised under the Local Lettings Plan?

If you qualify to be rehoused through the Local Lettings Plan you will be prioritised, and awarded points, according to your circumstances. Residents with a greater need to move will be given more points.

The priority categories and points levels are listed below. The first six categories (in yellow) currently exist under the Council's main Housing Allocation Scheme. The five further categories (in green) are additional priorities provided within this Local Lettings Scheme.

We are using the additional priorities to help resolve housing need on the Lancaster West Estate and in Bramley House, and to help residents who might not normally qualify for the main Housing Register.

The points categories are explained below the table. More detailed explanations of the highest priorities can be found in the Council's Allocation Scheme – www.rbkc.gov.uk/housing.

Points award	Priority category
2000	Very urgent need, being exceptional priority and emergency medical need.
1900	Serious risk of harm
900	High medical need
700	Downsizing from an under-occupied home, or freeing up an accessible home
700	Adopting or fostering a child
200	Lacking two or more bedrooms in the current home
100	Moving from a temporary home provided by the Council
80	Medical need
50	Lacking one bedroom in the current home
20	Household members of Council tenants living in a home lacking two bedrooms or more
10	Household members of Council tenants living in a home lacking one bedroom
5	Moving closer to family

2000 points Very urgent need: exceptional priority and emergency medical need

Exceptional priority might be used if you are facing an extremely difficult housing situation and there are no other suitable housing options available - for example, being awarded one of the other points categories. Exceptional priority must be agreed by the Director of Housing Needs and Supply or a delegated officer.

Emergency medical points will only be awarded if you (or a family member) has a medical problem or disability which affects your health very severely, where your home is totally unsuitable for your needs, and no other suitable housing options are available.

1900 points Serious risk of harm

These points might be awarded if you are, for example, experiencing domestic violence or harassment at your home. Points may also be awarded where a child in your family will be taken into care unless you are rehoused to a more suitable home.

We would need to make sure that there is no immediate risk to you and that you can remain in your current home until you are rehoused.

You cannot apply for these points directly - our Children's Services, our Adult Services, the police or Housing Management have to apply on your behalf.

A panel will consider the application and points will only be awarded where there is a serious and immediate risk of harm to a child or adult in your family, unless an urgent move can be obtained.

900 points High medical need

These points might be awarded to you or a family member when, in your current home, a disability or long-term health condition has a substantial impact on your independence, or the independence of the member of your family.

You will only qualify for these points where it can be shown that a move to a more suitable home will have a substantial positive impact upon your ability to enter and leave your home, and / or to access essential facilities within your home. If your health is in long term decline, we will also consider the type of property you will need in the future.

These points aren't awarded simply because you or a family member has health problems. Many residents have serious medical conditions, but they may be living in a suitable home already, or their independence will not be substantially improved by moving to another home.

Medical points are assessed by the Council's Housing Health and Disability Assessment Team (Medical Team). This team is made up of healthcare professionals who are very

experienced in housing issues. They are committed to the very highest standards, set by professional medical and healthcare bodies.

700 points Downsizing from an under-occupied home, or freeing up an accessible home

Under-occupation – You might be awarded these points if you have spare bedrooms in your current home and you are looking to move from a property with two or more bedrooms to a smaller property. This can include a move from one property to two or more smaller properties, where another family member wishes to live separately, but only if the total number of bedrooms for the new homes are less than the original home.

Freeing up an accessible home – You might be awarded these points if you live in a home that is suitable for a person with a disability or mobility problems, but you and members of your family do not have such needs and you are happy to move to another suitable home. Usually, homes with steps will not qualify – however, the Council's Housing Occupational Therapists will decide whether a property will qualify for these points.

700 points Adopting or fostering a child

You might be awarded these points if the Council's Children's Services confirm that you have been assessed as suitable to foster or adopt one or more children who are in the Council's care, but you need a more appropriate home in order to do so.

200 points Lacking two or more bedrooms in the current home

You might be awarded these points if you and your family lack two or more bedrooms in your current home.

The table found later in this leaflet explains the number of bedrooms your family will need. Please note that only genuine members of your family, who live with you as their main home, will be considered.

100 points Moving from a temporary home provided by the Council

These points will be awarded to you are living in a home provided for you by the Council but you do not have a secure tenancy. The Council must have accepted a duty to help you under Section 193(2) of the Housing Act 1996.

80 points Medical need

These points might be awarded to you or a family member when, in your current home, a disability or long-term health condition clearly affects your independence or the independence of the member of your family.

You will only qualify for these points where it can be shown that a move to a more suitable home will clearly have a positive impact upon your ability to enter and leave your home, and/or to access essential facilities within your home. If your health is in long term decline, we will also consider the type of property you will need in the future.

These points aren't awarded simply because you or a family member has health problems. Many residents have serious medical conditions, but they may be living in a suitable home already, or their independence will not be improved by moving to another home.

50 points Lacking one bedroom in the current home

You might be awarded these points if you and your family lack one bedroom in your current home.

The table found later in this leaflet explains the number of bedrooms your family will need. Please note that only genuine members of your family, who live with you as their main home, will be considered.

20 points Household members of Council tenants living in a home lacking two bedrooms or more

These points might be awarded to you if:

- you are aged 18 or over
- are a family member of a tenant
- the home you live in lacks two or more bedrooms
- if you remained together, you would need a home with four or more bedrooms
- you are willing to move to a studio or one-bedroom home to ease the overcrowding

10 points Household members of Council tenants living in a home lacking one bedroom

These points might be awarded to you if:

- you are aged 18 or over
- are a family member of a tenant
- the home you live in lacks one bedroom
- if you remained together, you would need a home with four or more bedrooms
- you are willing to move to a studio or one-bedroom home to ease the overcrowding

5 points Moving closer to family

These points might be awarded to you if you provide care for a member of your family who lives elsewhere, and moving to a home closer to them will help you to provide that care.

What happens if two or more households have the same priority?

Where two or more households with the same rehousing points are interested in the same property, the property will be offered first to the household who has lived the longest on the Lancaster West Estate or in Bramley House.

The start date for this length of residency is known as the 'priority date'.

Combining priorities for rehousing

You can be awarded points for more than one category. For example, you might have a high medical need and lacking two or more bedrooms.

However, you cannot combine following categories.

- If you are awarded points for a very urgent need (exceptional priority, emergency medical) or because you face a serious risk of harm, you cannot be awarded points for another category.
- You cannot be awarded points for lacking two or more bedrooms and points for lacking one bedroom.
- If you are moving from a temporary home you cannot be given points for downsizing or freeing up an accessible home.

Combining medical points

You can be awarded medical points for each member of your household that needs to move on health grounds. For example, you might qualify for 900 high medical points, and a member of your family might qualify for 80 low medical points, bringing your total points to 980.

How many bedrooms do I need?

The table below sets out the number of bedrooms your family will be assessed as needing. Please note that only genuine members of your family, who live with you as their main home, will be considered.

	One person	Couple	Two adults not living as a couple	One adult or a couple plus					
				One child or other adult	Two children of the same sex aged 20 or under	Two children of opposite sexes aged 9 or under	Two children of opposite sexes, one or both aged 10 or over	Three children	Four or more children
Studio	x	x							
One bed	X	x							
Two bed			x	x	x	x			
Three bed							x	x	x
Four or more bedrooms									x

This means that:

- Two children of different sexes can share a room until the eldest reaches 10.
- Two children of the same sex can share a room until the eldest reaches 21.
- Only up to two children can share a room (three or more children are not expected to share a room).

Examples:

- A mother and father with a girl aged 8 and a boy aged 6 will need a two bed.
- A mother with a girl aged 10 and boy aged 6 will need a three bed.
- A mother and father with a boys aged 18 and 9 will need a two bed.
- A father with girls aged 21 and 15 will need a three bed.
- A mother and father a girl aged 12, and boys aged 18 and 21 will need a four bed.

How will available homes be advertised?

The Council plans to create a separate, private, area on its Home Connections website to advertise homes that are available under the Local Lettings Plan. This means that only those residents who qualify for the Local Lettings Plan will be able to see what is available.

Printed copies of advertised homes will also be made available for you. If you do not have access to the internet, or do not feel comfortable using the internet, we will make sure you will still be able to express an interest in advertised homes.

Will the homes let under the Local Lettings Plan be on a lifetime tenancy?

Properties allocated through the Local Lettings Plan will be let on lifetimes tenancies, even if you did not previously hold a lifetime tenancy.

What rent will I pay for a home let under the Local Lettings Plan?

You will pay the same rent and the service charges that would be paid if the home was let to a resident on the Housing Register. This means that the rent and service charges will not be capped to the amount you paid for your previous home.

If you have spare bedrooms in your current home and you move to a smaller home, you will not pay more rent for your new home. When you move you will pay the lower of:

- the proper rent for your new home
- the same level of rent you paid for your previous home

If I move, will the right to succeed my tenancy be affected?

No, the rights to succeed your tenancy will not be affected.

If you move to a new home under the Local Lettings Plan, your new tenancy will have at least the same succession rights as your current tenancy. Therefore, if there has been

no succession to your current tenancy, your new tenancy will have exactly the same rights to succession as you have at the moment.

If the tenancy for the home you live in has already been succeeded to, you will be given new succession rights when you move to a new home under the Local Lettings Plan. However, only a husband, wife, or civil partner will be able to succeed to the tenancy.

This is because the succession rules changed when the Government introduced the Localism Act in 2011, affecting tenancies that started after April 2012. The Council does not have a separate policy on succession.

How will accessible properties be allocated?

Properties that are suitable for residents with mobility problems will be prioritised to residents who need them. This means that a home that is suitable for a wheelchair user or for someone who struggles with steps will be offered to a resident who needs that kind of home before it is offered to someone with no mobility needs - even if resident with mobility problems has less points.

We match accessible properties to residents who need them in the following way.

Describing accessible properties	
Wheelchair accessible	<ul style="list-style-type: none"> • Person requires fully wheelchair accessible accommodation to and throughout the property. • Person may use a large wheelchair and requires more generous space standards for wheelchair circulation or specialist equipment.
Step-free with wider doorways and corridors	<ul style="list-style-type: none"> • Person requires step-free accommodation with generous corridor widths as may use a standard size or attendant propelled wheelchair, a mobility aid (walking frame) indoors and/or a wheelchair outdoors. • May be able to access another level of the property with a stair-lift. • May be outdoor electric wheelchair/scooter user, but able to walk indoors. • May have progressive neurological condition and have a degree of mobility impairment, which is likely to deteriorate in near future. • May be ambulant and obese and need wider doorways and corridors.
Step-free	<ul style="list-style-type: none"> • Person is able to mobilise but requires step-free accommodation, may use a walking stick indoors and a frame occasionally.

	<ul style="list-style-type: none"> • Person <i>may</i> be able to manage one to two steps but requires an OT assessment/ accompanied viewing to assess.
Minimal steps	<ul style="list-style-type: none"> • Person is able to manage a limited number of steps (up to six). • Person <i>may</i> consider properties with more than six steps but requires OT assessment/accompanied viewing.
General needs	Person is able to manage at least one flight of stairs. If there are evidenced limitations on ability to manage several flights of stairs or other evidenced reasons to specify maximum floor level, this recommendation will be specified on the medical assessment/application.

How long will the Local Lettings Plan last?

The Local Lettings Plan will run for two years before it is reviewed.

We will engage fully with the residents of the Lancaster West Estate and Bramley House when conducting this review to see if the Local Lettings Plan should be renewed, amended, or brought to an end (having achieved what it was meant to achieve). For the Local Lettings Plan to continue after two years it will have to be shown that the original reasons for the Plan still exist.

How many properties might become available?

This will depend upon two things - how many tenants from the Walkways, Treadgold House and Bramley House wish to move to a social housing tenancy elsewhere under the Wider Grenfell Rehousing Policy (and therefore give up their current tenancy in the Walkways, Treadgold House or Bramley House) and how many properties become available due to normal turnover across the estate and Bramley House.

The table below shows how many properties became available across the Lancaster West Estate and in Bramley House between April 2013 and March 2017.

Year	Lettings on Lancaster West / Bramley House	Lettings to LWE / BH as % of all lettings	Lettings to LWE / BH as % of all Council only lettings
2013/14	19	4.3%	10.8%
2014/15	27	5.3%	14.7%
2015/16	23	5%	11.9%
2016/17	33	7.6%	17.6%
2013/17	102	5.5%	13.8%

Mutual Exchange

The Council intends to launch a local mutual exchange scheme which will help Council tenants to exchange homes if they wish to do so. You do not need to be in housing need to swap your home with another council tenant – you may live in a suitable property but simply wish to live in a different location.

We will give you more information about the Council's mutual exchange scheme in the near future.

FORMAL REPORT ON THE PUBLIC CONSULTATION

Equality Impact Assessment (“EIA”)

Financial Year and Quarter	2018/2019 - Quarter 3 Last update: 23 December 2018
Name of policy	Local Lettings Plan for Lancaster West Estate and Bramley House (“the LLP”)
(1) Summary of policy / decision	<ol style="list-style-type: none"> 1. The Council recognises that residents of the Lancaster West Estate and Bramley House (“the LLP Area”) were amongst those most deeply and closely affected by the tragedy at Grenfell Tower. As part of its commitment to doing what it can to help residents in their recovery, both individually and as a community, the Council has committed to an ambitious and resident-led refurbishment of the LLP Area. As part of that commitment, the Council wishes to ensure that: <ol style="list-style-type: none"> a. Residents from the LLP Area who need to move to a more suitable home, but wish to remain in the Area as part of the community, are able to do so; and b. All Council homes within the LLP Area which become vacant and available for letting will be offered first to existing residents from the Area. 2. The following residents will qualify under the LLP (“qualifying residents”): <ol style="list-style-type: none"> a. They must have been living within the LLP Area at the time of the fire at Grenfell Tower; <u>and</u> b. They must: <ol style="list-style-type: none"> i. Hold a secure tenancy, living at home; or ii. Hold a secure tenancy, but are living away from home and would like to return home, but cannot do so as their home is very unsuitable; or

- iii. Have been given a home to rent within the LLP Area by the Council which is not a secure tenancy (i.e. they are accommodated pursuant to the Council's homelessness duties); or
 - iv. They are household members of Council tenants (as defined by the LLP) who live with the tenant as their main and principal home, either (a) within a property which is overcrowded and the family needs a four-bedroom property or larger or (b) the property has three or more bedrooms, the tenant is willing to downsize and the household member is rehoused to their own studio or one-bedroom property under the LLP; and
- c. They must meet the criteria for at least one of the priority categories identified within the LLP.
3. The LLP falls within the Council's Housing Allocation Scheme (February 2017 revision). The LLP provides its highest priority to residents who would (in any event) qualify for rehousing under the Allocation Scheme. They include residents with exceptional or urgent housing needs, high medical needs, those at serious risk of harm and under-occupiers, amongst others.
 4. A number of additional priority categories are also granted by the LLP to help resolve housing need within the LLP Area and to help residents who might not normally qualify under the main Allocation Scheme. They include tenants and household members with (lower) medical needs, who are overcrowded, or who wish to move closer to family.
 5. Qualifying residents may be awarded points for more than one category, subject to certain exceptions set out within the LLP. Households may combine medical points awarded to more than one member.
 6. All residents given new homes under the LLP will be granted a periodic (lifetime) secure tenancy.
 7. If an available property within the LLP Area is not let to a qualifying resident within a reasonable period of time, it will then be made available to the other residents on the Housing Register. The Council reserves the right to offer accessible homes first to residents who need them.

	<p>8. The LLP will run for two years following implementation, and will be reviewed no later than 18 months from implementation.</p> <p>The LLP should be considered alongside the Grenfell and Wider Grenfell Rehousing Policies, and the “<i>Decision relating to future housing options and support for secure tenants of the Walkways, Treadgold House and Bramley House in temporary accommodation</i>” (“the Decision”).</p>
<p>(2) Consultation</p>	<p>In August 2018 two independently facilitated workshops were held with residents of the LLP Area to discuss proposals for a local letting scheme. The Council subsequently met with the respective Residents Associations of Lancaster West and Bramley House to discuss the draft LLP, before launching a four-week public consultation ending on 30 November 2018. A paper copy of the draft LLP and a short survey were sent to all households within the LLP Area. A letter with an electronic link to the draft LLP and survey was sent to all households on the Housing Register. Details of the draft LLP were also posted on the Grenfell Support website.</p> <p>The Council received 72 responses to the survey from residents and housing applicants and received written comments from local advice agencies.</p> <p>A Consultation Report and Appendices have been prepared with an analysis of the survey. They indicate that the large majority of respondents are in favour of the creation of a Local Lettings Plan: 80.6%.</p> <p>The consultation documents were also presented to the Grenfell Recovery Scrutiny Committee.</p>
<p>(3) Who does this policy affect?</p>	<p>The LLP will directly affect all those who are “qualifying residents” as outlined above.</p> <p>At present over 120 households living on the Estate and in Bramley House are registered on the Housing Register with a priority for rehousing under the main Allocation Scheme; therefore the number who will qualify for the LLP will be far in excess of this number.</p> <p>Qualifying residents will include those from Barandon Walk, Hurstway Walk, Testerton Walk, Bramley House and Treadgold House. Under the Wider Grenfell Rehousing Policy, residents from these blocks who wish to be rehoused are awarded 900 points and thus hold a high priority status on the Housing Register (“Category B priority”). Residents awarded Wider Grenfell Priority cannot utilise these points within the LLP.</p>

	<p>The LLP will not apply to (a) leaseholders, (b) residents privately renting or subletting flats within the LLP Area, or (c) households who have moved to the LLP Area after the date of the fire.</p> <p>In practice, the LLP will not apply to former residents of Grenfell Tower and Grenfell Walk (“Category A priority”). Under the Grenfell Rehousing Policy, these households hold the highest priority in the Borough and benefit from an enhanced rehousing procedure. However under the LLP, the Council retains discretion to offer homes which become vacant within the LLP Area to Category A households before any other qualifying residents.</p> <p>The Council also recognises that, by prioritising qualifying local residents for vacant homes within the LLP Area, the LLP may indirectly impact other households on the Housing Register who will no longer enjoy priority access to these homes. Therefore this EIA considers the anticipated equalities impact of the LLP on households qualifying through the main Housing Allocation Scheme. As of 19 December 2018, there were 3,204 applications to the Housing Register (3,338 including residents who have been awarded Wider Grenfell Rehousing Priority (WGRP)).</p>
<p>(4) Sources of data</p>	<p>The Appendix to this EIA summarises available equality and diversity (“E&D”) data regarding the protected characteristics of lead and joint tenants of the LLP Area. By way of comparison it also provides a breakdown of protected characteristics amongst tenants who hold Category A and Category B priority.</p> <p>This data has been extracted from E&D information voluntarily provided by tenants when signing up to their tenancy agreements, and from a tenancy profiling exercise carried out by the TMO in 2016-17. Tenants’ response rates varied, particularly in respect of questions about certain protected characteristics such as sexual orientation. In addition, the data does not capture the E&D characteristics of all other members of tenants’ households. However it provides an overview of the types of persons who hold tenancies within the LLP Area and thus may become “qualifying residents” under the LLP.</p> <p>In preparing the draft LLP and this EIA, the Council has also considered the data underlying, and the findings of, its four recent EIAs:</p> <ol style="list-style-type: none"> 1. Revisions to the Housing Allocation Scheme, February 2017 2. Grenfell Rehousing Policy, November 2017

3. Wider Grenfell Rehousing Policy, February 2018

4. Decision relating to future housing options and support for secure tenants of the Walkways, Treadgold House and Bramley House in temporary accommodation, October 2018.

Particular attention has been given to Appendices 1-8 prepared in respect of the 'Decision EIA' of October 2018. They analyse the protected characteristics of (a) all applicants on the Housing Register as of 29 July 2018, and (b) all households registered for Category B priority as of that date. It is acknowledged that the Category B data does not capture all of the households within the LLP Area, and to some extent this information will now have been eroded by the passage of time. Nonetheless the Appendices provide a broad, detailed and recent overview of the types of households who live in the area and on the Register, who will be affected by the LLP and therefore can be considered representative.

Appendix 8 contains the result of a 'door knocking' / 'getting to know you' exercise carried out within the LLP Area by the Lancaster West Neighbourhood Office in the summer of 2018. Residents who participated did so voluntarily. The exercise profiled a total of 840 residents, up to 9 July 2018. However, the response rates and quality of the data varied widely. For example, while the majority of respondents (80%) agreed to disclose their ethnicity, only 20% were willing to disclose their sexual orientation. In addition, the survey did not consider all protected characteristics within the meaning of the Equality Act.

To supplement the above data, the EIA also draws upon the following data:

- 2011 Census data
- RBKC Housing Management records
- RBKC Housing Register data
- Grenfell Care and Support data
- RBKC Housing Benefit data
- Office of National Statistics
- RBKC Temporary Accommodation Procurement Strategy 2017 to 2019.

(5) Headlines from existing data

	<p>Approximately half of households likely to be affected by the LLP include children under the age of 18. In July 2018, 50.65% of all households on the Housing Register included children, and 51.47% of households which qualified for Wider Grenfell Priority (i.e. a subset of the LLP Area).</p> <p>Data also shows that a significant proportion of <i>tenants</i> (as opposed to <i>residents</i>) of the Lancaster West Estate are aged 65+: 31.17%. This suggests that many of the tenants who will be 'qualifying residents' under the LLP are older. As a result there may be higher than average numbers of residents downsizing to smaller homes, but also higher numbers requiring accessible accommodation.</p> <p>Data strongly indicates that women will be disproportionately impacted (positively and/or negatively) by the LLP. Women make up almost 63% of tenants of the Lancaster West Estate, and almost 68% of applicants on the Housing Register.</p> <p>Single women are particularly likely to be head of households with dependent children: 32.25% of Category B households and 34% of Housing Register applicants respectively, as of July 2018.</p> <p>The Council has collected data on race and ethnicity for 80% of the residents of the Walkways, Treadgold House and Bramley House, and 70% of residents on the Housing Register. This data suggests that there is very considerable diversity both within the LLP Area and on the Housing Register, but no significant variation between the two.</p> <p>Similarly, data suggests that there is very considerable diversity of religious belief amongst the residents of the Lancaster West Estate.</p> <p>Regarding disability, the data is not conclusive on the number of disabled persons. However 22.8% of Wider Grenfell Rehousing Policy households have reported medical conditions which might (though not necessarily must) be considered disabilities. This compares to almost 14% of Wider Grenfell Rehousing Policy households who have been assessed as requiring some form of accessible accommodation.</p> <p>Amongst Housing Register applicants, 19.6% reported medical conditions which might (though not must) amount to disability, and 11.37% were assessed as requiring some form of accessible accommodation.</p>
<p>(6) Summary of concerns about the decision</p>	

1. The LLP only applies to residents who were already living within the LLP Area on 14 June 2017, i.e. the date of the fire at Grenfell Tower. It will not apply to residents who have moved to, or been placed in, accommodation within the LLP Area since that date. It will not assist other applicants who have become homeless since that date, even if they have an urgent need for housing. This may include some 'split households', where residents from the LLP Area left their homes and are now accommodated under Part VII of the Housing Act 1996: these persons will not qualify under the LLP because they were not tenants (rather, they formerly lived with qualifying residents).
2. The LLP reserves highest priority (100 points+) for qualifying residents who would have received the same level of points under the Housing Allocation Scheme in any event. Non-LLP applicants with an equivalent level of housing need will thus receive an equal level of priority under the Allocation Scheme. However, vacant homes within the LLP Area will be made available first to the *qualifying resident* with highest housing need (rather than to the *applicant* with the highest need). Therefore homes may be allocated to qualifying residents with lower housing need than 'ordinary' applicants on the Housing Register. For example, a qualifying resident with 900 points could be allocated a vacant home within the LLP Area ahead of an 'ordinary' applicant with 1,900 points.
3. The LLP also provides a number of additional priority categories which do not apply under the main Scheme, albeit only for residents with the lowest levels of housing need (5-80 points). In this way the LLP prioritises residents from the LLP Area above 'ordinary' applicants on the Register, who have an equivalent level of housing need but are not awarded additional points on that basis (e.g. 5 points to move closer to family).
4. Qualifying residents will enjoy other enhancements under the LLP which will not apply to 'ordinary' applicants on the Housing Register. Other applicants are thus treated less favourably:
 - a. All qualifying residents allocated a new home under the LLP will receive a (lifetime) secure periodic tenancy. Any qualifying resident who has not previously held a lifetime secure tenancy will thus be given a more secure form of tenure than other applicants on the Housing Register. This provision will principally benefit existing tenants who were granted their tenancies after 5 January 2014, and residents accommodated within the LLP Area pursuant to the Council's homelessness duties. Normally they (and all other applicants allocated homes for the first time) would receive a one-year introductory tenancy followed by a 5-year fixed term tenancy, which is reviewed upon

	<p>expiry. The majority of such tenancies are renewed, but they may be terminated at that point if there is cause, within the Council's Tenancy Policy, to do so.</p> <p>b. Under the LLP, qualifying residents who are single adults may be allocated either a studio or a 1-bedroom apartment. Under the Housing Allocation Scheme, single adults on the Housing Register are normally assessed as eligible only for studio apartments. Some single qualifying residents will therefore be allocated larger properties than 'ordinary' single applicants.</p>
<p>(7) Justification for the policy and mitigation to address concerns</p>	<ol style="list-style-type: none"> 1. The LLP will apply only to a small proportion of the Council's total housing stock. The LLP Area contains 627 rented homes, compared to over 6850 homes in the total Council housing stock (excluding homes owned by leaseholders, which are not available for allocation.) Lettings to the Lancaster West Estate and to Bramley House represent, on average, 5.5% of the Council's total annual lettings of social housing, and 13.8% of annual lettings of Council rental properties. 2. The Wider Grenfell Rehousing Policy and the Decision are designed to encourage and facilitate residents from within the LLP Area who do not feel able to return to their homes following their fire to relinquish their properties and move to new accommodation. These policies focus in particular on freeing up homes which are currently unoccupied so they can be allocated to other households. The Council anticipates that there will be a significant turnover amongst homes in the Area in the first months of the LLP. For example as of 14 October 2018, at least 47 households from the Walkways, Treadgold House and Bramley House had registered their intention not to return home and wanted to move to new accommodation. 3. The LLP is designed to help tenants and families who are living in unsuitable homes move to a more suitable home while remaining in the community and close to their existing support networks as this will help to support their longer term recovery. 4. A number of themed concerns were raised within public consultation on the draft LLP, particularly by the three local advice agencies. Some of those concerns are addressed within this EIA, and the Council's formal response to these concerns, including mitigation,

is provided in the Executive Decision Report **Local Lettings Plan For The Lancaster West Estate And Bramley House** (reference 05333/18/K/A)

5. Against that background, the LLP aims to ensure that every home relinquished within the LLP Area is allocated to a qualifying local resident. However it also ensures that whenever a local resident is rehoused, another property is freed up elsewhere, thereby creating a chain of further lets. It is anticipated that this process will lead to 'churn' amongst homes within the LLP Area and also amongst the rest of the stock. This effect would help to advance equality of opportunity and foster good relations amongst all groups in the community. This will be achieved in four ways:
 - a. Qualifying residents who would otherwise have bid for accommodation across the whole of the Borough will not now need to do so, thereby freeing up other homes for allocation to 'ordinary' applicants via the Housing Register.
 - b. The additional points categories granted to qualifying residents under the LLP (5-80 points) will assist more households to move, thereby freeing up additional properties for letting.
 - c. Under the LLP, any homes which are not allocated to qualifying residents within a reasonable period of time will be made available to let to residents on the Housing Register.
 - d. Many applicants on the Housing Register are existing Council tenants who need to move to suitable accommodation. As they are rehoused - either through the LLP or Housing Register - further properties will become available for letting and the 'chain' of lets will continue.
6. The LLP will only benefit residents from the area *who have an assessed housing need*. Under the LLP, residents with the highest priority (100+ points) would in any event benefit from an equivalent level of priority under the Allocation Scheme.
7. Where two qualifying residents are awarded equal points under the LLP, priority will be given to the household with the greatest length of residence within the LLP Area. This provision equates with the "Priority Date" system used within the Housing Allocation

Scheme (para. 5.3) and the Grenfell and Wider Grenfell Rehousing Policies. The Council anticipates that the LLP mitigates against the possibility of qualifying residents with different levels of housing needs being awarded the same number of points, due to the availability of the additional priority categories under the LLP and because multiple points awards are permitted. However it is acknowledged that this element of the LLP will need careful monitoring following implementation.

8. Residents will pay the rent applicable to their new home. This will not be capped at the rent paid for their previous home. The same policy applies to all other residents transferring homes under the Housing Allocation Scheme, Wider Grenfell Rehousing Policy and the Decision (an exception is made only for Category A residents from Grenfell Tower and Grenfell Walk).
9. The Housing Allocation Scheme will continue to apply to all other applicants on the Housing Register and to the majority of vacant properties within the Council's stock, ensuring that reasonable preference is still given to all applicants who qualify under the Scheme. All vacant homes within the LLP Area which are not allocated to qualifying residents within a reasonable period will be made available via the Housing Register in the usual manner.
10. The Council has a discretion to mitigate the impact of the LLP in cases where it would have a negative effect on applicants with significant housing needs, for example in a scenario where an 'ordinary' applicant has higher need than a qualifying resident. The LLP reserves discretion for the Council to first offer vacant homes within the LLP Area to the following applicants:
 - a. Category A households from Grenfell Tower or Grenfell Walk;
 - b. If it is an accessible property which is not required or chosen by a qualifying resident who needs that type of accommodation, a person from the Housing Register who needs it;
 - c. Applicants on the Housing Register assessed as having exceptional need, emergency medical priority or serious risk of harm; or
 - d. Council tenants who require an urgent decant or transfer from their existing home.

11. For applicants who do not meet the minimum residence criteria (i.e. having lived in the Borough for 3+ years, and/or having lived in the LLP Area on 14 June 2017), the Council has a discretion to admit applicants to the Register in exceptional circumstances: Housing Allocation Scheme para. 1.8. This may provide important mitigation when housing applications are received from:
 - a. Persons fleeing domestic or other forms of violence (who are more likely to be women);
 - b. Persons granted asylum (who are more likely to come from a BAME background); or
 - c. Irish Travellers and Gypsies, who are less able to meet residence criteria as a consequence of their traditional way of life.
12. Under the Housing Allocation Scheme (para. 4.18) the Council has an exceptional discretion to award 10 'locality hardship' points when satisfied that a household would suffer hardship unless rehoused in a particular area of the Borough. These points may be awarded to any household who does not meet the criteria of the LLP but can show a genuine connection with the LLP Area.
13. The Housing Allocation Scheme (para. 4.14) provides 50 additional points to applicants who are in paid work for at least 16 hours per week. These points are not available under the LLP because they do not prioritise applicants based on their housing need. Also, the objective of that priority – to support economic growth and reduce social polarisation in the Borough – is less relevant to existing tenants who already live within the Borough's social housing, particularly those recovering from the fire. These points remain available to applicants on the Housing Register.
14. The Council's experience is that adults under-occupying their homes are less likely to downsize if they are only eligible to move to a studio rather than one-bedroom flat. The extended eligibility for one-bedroom flats provided by the LLP is intended to incentivise qualifying residents to downsize, thereby freeing up additional homes for letting. For 'ordinary' applicants, there is a discretion to permit bidding for larger properties in certain exceptional circumstances: Housing Allocation Scheme para. 6.3. Amongst other issues this discretion expressly caters for those with additional care needs, who are more likely to include persons with disabilities and older residents.

15. As to the other enhancements provided under the LLP:

- a. Given the trauma and losses which local residents have suffered following the fire, the Council believes it is right that those with an assessed housing need are helped to find suitable new homes and are given a degree of permanence within the community.
- b. The enhancements are time-limited as the policy will initially run for two years. Thus the LLP aims to encourage residents to reach a decision on their future housing needs within a reasonable period of time.
- c. This will assist the recovery of the area and the Council's planning for the future of its housing stock.

16. The LLP will not apply to (a) leaseholders or (b) residents renting private or housing association properties within the LLP Area, even if they were resident at the time of the fire. Although the Council recognises that these residents have also been deeply impacted by the fire, it does not believe it would be proportionate to include them within the LLP at this time. Firstly the Council does not owe statutory duties toward these households, unless they have been assessed as homeless under Part VII of the Housing Act 1996 or qualify for an allocation of housing under the Housing Allocation Scheme. Secondly, allocation of vacant homes within the LLP Area to these households would not release another property for letting within the Area and would not contribute to the 'chain' effect. This would negatively impact other applicants on the Housing Register.

17. Similarly, the LLP does not presently recognise 'split households' as identified in Section 6(1). Although these are local residents who were also impacted by the fire, they too cannot release another property for letting. The LLP mitigates for these residents by granting additional priority to households who are overcrowded and are willing to 'split' into different homes.

18. Existing tenants have options beyond the LLP to move home if they wish, including mutual exchange. The Council is currently considering the adoption of a new management transfer policy.

	<p>19. The LLP will be reviewed no later than 18 months from the beginning of implementation, in particular with a view to monitoring how the LLP has affected the position of 'ordinary' applicants on the Housing Register. The Council will also continue to collect E&D data from qualifying residents and applicants on the Housing Register, to identify and address any unforeseen negative impact on any particular protected groups.</p> <p>20. All applicants (via the Allocation Scheme and LLP) are given a suitability assessment to assess their and their household's particular housing needs. Applicants from the Walkways, Treadgold House and Bramley House (a subset of qualifying residents) are being offered individualised and sensitive support in making decisions about their future housing, in accordance with the Decision.</p>
<p>(8) EIA Analysis</p>	<p>Existing evidence does not demonstrate a negative (or positive) impact upon the following characteristics:</p> <ul style="list-style-type: none"> a. Gender reassignment b. Marriage and Civil Partnership c. Religion/belief (including non-belief) d. Sexual Orientation <p>Age</p> <p>The Council believes that the LLP will provide particular benefits for households with children and older households from within the LLP Area:</p> <ul style="list-style-type: none"> 1. Households with children and older residents are likely to benefit disproportionately from the LLP, because they are more likely to qualify for some of the principle priority categories provided within the LLP (i.e. overcrowding, downsizing and medical needs). 2. The LLP provides additional priority categories for residents who lack one bedroom in their current home or those who wish to move closer to family. These categories may be more likely to benefit residents with children, whose households are growing and who would benefit from access to family support networks. 3. The LLP provides additional priority categories for household members of tenants who lack one or more bedrooms, who would need a four-bedroom house, but who are willing to be

rehoused into their own property. This may be more likely to benefit older tenants whose children are grown.

4. The Council's Temporary Accommodation Placement Policy prioritises households who have children with special educational needs (which may include disabled children), child protection plans or 'high social needs linked into local support services' for placement into temporary accommodation located within the Borough. Therefore households which include the most vulnerable children are more likely to have been placed in the LLP Area pursuant to the Council's homelessness duties and therefore to qualify under the LLP. The LLP recognises these families as qualifying residents.
5. Households in temporary accommodation ("TA") are particularly likely to include dependent children: households with children make up a significant proportion of all duty accepted households annually. All applicants leaving temporary accommodation are awarded 100 points (both under the Allocation Scheme and LLP). However in practice, qualifying residents leaving TA may be allocated accommodation more quickly than 'ordinary' applicants leaving TA because there may be less competition for vacant homes within the LLP Area than generally.

Regarding households with children and older residents on the Housing Register, as explained above (Section 7.3) it is not thought that the LLP will increase waiting times or reduce supply. However the Council acknowledges that the Borough's housing supply generally remains under strain with significant waiting times. This is due to the impact of the fire and the overall shortage of affordable accommodation in the area.

It is acknowledged that households waiting for larger accommodation (2+ bedrooms) and accessible accommodation continue to experience the longest waiting times and therefore suffer greatest disadvantage, because these properties are in high demand and short supply. It is also acknowledged that households requiring accessible accommodation are more likely to include applicants who are older and/or disabled. Those requiring larger homes are more likely to include dependent children and female heads of household.

However the limited supply at present of larger properties and accessible properties in the LLP Area is likely to mean that the opportunities for larger families on the Housing Register, and those who require accessible accommodation, will not be significantly restricted.

It is acknowledged that these aspects of the LLP will require careful monitoring and review as the policy is implemented.

Disability

To meet the definition of “disability” provided by s. 6 of the Equality Act 2010, persons must (a) have a physical or mental impairment, and (b) the impairment must have a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Alcohol and drug addiction (without some other impairment) are excluded from the definition of “disability”.

The fact that a household has priority due to their medical status or requires accessible accommodation does not necessarily mean that members are disabled within the meaning of the Act. Nor can it be assumed that all persons who report a physical or mental health condition are sufficiently impaired so as to meet the statutory definition.

Conversely, there are likely to be residents who would be considered “disabled” notwithstanding that they do not need adapted accommodation or have not qualified for medical priority points. It is also possible that applicants with medical conditions have not disclosed those details in their application or within suitability assessments.

Persons with disabilities will include children (for example, a child who is experiencing trauma as a result of the Grenfell Tower tragedy). This is considered an issue of disability rather than age for the purposes of the EIA.

Given the impact of the tragedy and in light of existing data, the Council takes the view that the percentage of disabled persons from the LLP Area is likely to be higher than the general incidence in the population.

The Council believes that the LLP makes reasonable adjustments for, and advances equality of opportunity for, persons with disabilities from the LLP Area as follows:

1. Disabled persons are more likely to have complex housing needs and to receive support from carers, medical professionals and others within the community. The LLP addresses this issue by (a) helping qualifying residents to be rehoused close to their existing support network; and (b) providing that accessible properties within the LLP Area is offered first to qualifying residents who need this type of accommodation.

2. Tenants who might find it most difficult to make decisions about their housing (i.e. including the decision whether or not to apply for rehousing) may include persons with disabilities, particularly persons experiencing mental health difficulties, whether those have arisen as a result of the events of the Grenfell Tower tragedy or otherwise. However the Council believes that the LLP provides, initially at least, a reasonable period of time (2 years) in which residents can make this choice. Residents will also continue to be provided with individualised and sensitive support in making their choice.
3. 'Moving closer to family' points available under the LLP may be particularly important for persons with care and support needs.
4. Provision of 'lifetime' secure tenancies rather than one-year introductory tenancies or five-year fixed term tenancies will provide additional security of tenure for residents. This may provide additional reassurance for disabled persons, particular those with mental health difficulties.
5. The Council's Temporary Accommodation Placement Policy prioritises persons with significant, or severe and enduring, health conditions and care needs for placement into temporary accommodation located within the Borough. Persons with disabilities, including children, are therefore more likely to have been placed in the LLP Area pursuant to the Council's homelessness duties, and therefore to qualify under the LLP. Persons with disabilities may also be disproportionately represented within the cohort of tenants who are currently living away from home and wish to return, but cannot as their property is unsuitable for their needs. The LLP recognises these households as qualifying residents.

However existing evidence also demonstrates that there might be negative impacts upon persons with disabilities, particularly 'ordinary' applicants on the Housing Register. The potential adverse impacts are summarised as follows.

1. Tenants with physical disabilities may wish to return to their existing home within the LLP Area, but are unable to do so as their secure tenancy is not suitable given their physical and / or mobility requirements. Alternatively, Residents may not feel able to return to their homes due to their experiences during and after the fire.
2. As rents in residents' new homes will not be capped at the level paid in their old home, there may be concerns about affordability for tenants who move to larger properties. This

includes any resident allocated an extra bedroom in order to cater for care or support needs.

3. 'Ordinary' applicants with disabilities may, to some extent, suffer a 'knock on' effect of added delay, because accessible accommodation which becomes vacant within the LLP Area will be offered first to qualifying residents (even if ordinary residents have equal or – potentially – higher housing need). Accessible accommodation is in short supply and high demand, with long waiting times for all applicants across the Borough. As outlined above, it is possible that accessible accommodation may be in higher than average demand under the LLP due to the age profile of local residents.

The following mitigation may help to address the potential adverse impacts upon disabled persons:

1. Where an accessible property is allocated to a qualifying resident instead of to an 'ordinary' applicant, in most cases the qualifying resident will in any event have had an equivalent level of assessed housing need / points award.
2. Any accessible accommodation which is not needed by qualifying residents will next be offered to applicants from the Housing Register with a need for this type of accommodation. They will thus take precedence above any qualifying resident who has higher points but no mobility issues.
3. Under both the LLP and Housing Allocation Scheme (para. 4.19), qualifying residents / applicants may combine multiple points awards for medical needs of different members of their household.
4. The limited supply at present of larger properties and accessible properties in the LLP Area is likely to mean that the opportunities for those who require accessible accommodation may not be significantly restricted.
5. It is anticipated that the planned investment and refurbishment programme within the LLP Area will improve accessibility across the stock in general. This may help to meet the anticipated high demand for these properties amongst all applicants for housing in the Borough.

6. All applicants are offered suitability assessments to identify their housing needs. Suitability assessments take account of disabilities, receipt of medical, social and health care and informal caring arrangements, employment, training and education. No applicant should be required to accept an offer of accommodation which is not affordable. The Council can also advise on income maximisation, checks to ensure a resident is in receipt of all benefits to which they are entitled.
7. Tenants have the right to review offers of social housing.
8. Tenants can be offered advice and assistance from the Council's Adult Social Care and / or Housing Occupational Therapists with regard to minor or major adaptations that might make their existing or new home suitable. Residents with mobility problems are accompanied to offers of permanent homes by a Housing Occupational Therapist who can advise on suitability and appropriate minor adaptations.
9. Property requirements for residents with mobility needs are also assessed in accordance with the Pan-London Accessible Housing Register (AHR) guidance. This guidance is also used to categorise properties with accessible features. The AHR guidance recommends the provision (included within both the Allocation Scheme and LLP) that vacant accessible permanent properties are first offered to households who need them, even if other applicants have higher housing needs.

It is accepted that these aspects of the LLP will require careful monitoring and review.

Race/ethnicity

The Council has made considerable progress in gathering data on the race and ethnicity of its residents and housing applicants, following the identification of gaps in this evidence in previous EIAs. The Council has now gathered race/ethnicity data on 83.6% of Category B households and a large number of the residents of Lancaster West.

The data confirms that there is considerable ethnic and racial diversity amongst both residents of the LLP Area and the general pool of applicants on the Housing Register. A significant proportion of both applicants and qualifying residents will identify as BAME or of mixed race: at least 45.19% of applicants on the Housing Register and 52.48% in Lancaster West (i.e. Black, Asian, mixed race and 'other')

As both the Allocation Scheme and LLP prioritise and allocate housing according to an applicant's relative housing need, it is not thought that there are any identifiable barriers for rehousing on the grounds of race or ethnicity.

The considerable diversity amongst both qualifying residents and 'ordinary' applicants suggests that persons from racial or ethnic minorities will be likely to benefit from the LLP, and from any net increase in lettings as a result of 'churn'.

However it is acknowledged that the residence criteria within the LLP and Housing Allocation Scheme mean that certain groups are less likely to qualify than others. Two of these groups are more likely to be defined by reference to their ethnic or racial background, which may be closely linked to the reasons they cannot meet residence criteria. They are:

- a. Applicants recently granted asylum / refugee status, and
- b. Irish Travellers and Gypsies who have not been resident within the Borough on a long-term basis by reason of their traditional way of life.

These applicants would however be in the same position as any other household who has become homeless or entered onto the Housing Register since June 2017, who do not benefit from the LLP.

As noted above (Section 7.7 and 7.8) the Council has discretion to admit applicants to the Register even where they do not meet minimum residence criteria, and to award additional 'locality hardship' points where an applicant can demonstrate that they have a close connection to a particular area and would suffer hardship if not rehoused within that part of the Borough. It is thought that this discretion will mitigate the impact of the LLP on any households from these groups who do not qualify by reason of their race or ethnicity.

However it is also acknowledged that the LLP will need to be carefully monitored and reviewed in order to determine whether there are any unforeseen or indirect adverse impacts linked to race or ethnicity.

Sex

	<p>It is acknowledged that women are likely to be heavily impacted by the LLP (positively and/or negatively) because they feature disproportionately amongst all groups who reside in or apply for social housing. Single women with children are particularly likely to be affected, as data suggests they make up a significant proportion of households on the Housing Register and within the LLP Area (approximately 32-34%).</p> <p>The prevalence of women amongst applicants and residents suggests that many women will benefit from the LLP, and from any net increase in lettings as a result of 'churn'.</p> <p>At the same time, it is acknowledged that there may be negative impacts for women. In particular:</p> <ol style="list-style-type: none"> 1. The concerns identified within Section 6 of this EIA are most likely, statistically, to negatively affect women. Relevant mitigation in respect of those concerns is set out in Section 7. 2. The residence criteria implicit within the Allocation Scheme and LLP are likely to adversely impact victims of violence who have fled their homes in another district, who are significantly more likely to be women. Important mitigation features have been built into the Scheme and LLP which may be used to address the position of these households: <ol style="list-style-type: none"> a. There is a discretion to waive residence criteria in order to admit applicants onto the Register in exceptional circumstances; b. Those assessed at serious risk of harm or with urgent needs will be awarded a high priority status under the Housing Allocation Scheme; c. The Council retains discretion to allocate vacant properties outside the LLP to households with the highest priority status on the Housing Register, when required to address their urgent housing needs. <p>Nonetheless it is accepted that the LLP will also require careful and considered monitoring in order to determine how it impacts women in the LLP Area and the Housing Register, so that any adverse impacts may be identified and addressed.</p>
<p>Lead Officer</p>	<p>Rob Shaw – Housing Policy Manager</p>

Senior Officer sign-off	Maxine Holdsworth – Director of Housing Needs and Supply
Lead Equality Officer	Angela Chaudhry - Equalities and Diversity Officer