

This is a **Cabinet Member Report**

PETITION RECEIVED REGARDING EVICTION FROM PROPERTIES ON RAF UXBRIDGE

Cabinet Member(s)	Councillor Philip Corthorne
Cabinet Portfolio(s)	Social Services, Health & Housing
Officer Contact(s)	Neil Stubbings, Head of Housing, Residents Services
Papers with report	Petition Report

1. HEADLINE INFORMATION

Summary	This report seeks to respond to a petition received by the Council on 10/04/2013 requesting an independent investigation into why neither Notting Hill nor the Council had a contingency plan in place to re-house the residents on the RAF Uxbridge site.
Contribution to our plans and strategies	N/A
Financial Cost	None
Relevant Policy Overview Committee	None at this stage
Ward(s) affected	Uxbridge North

2. RECOMMENDATION

That the Cabinet Member:

- a) Advises the lead petitioner that the Council does have a process in place to assist tenants when their private sector tenancy is ended.
- b) Advises the lead petitioner of the additional measures the Council employed to assist with these cases.

Reasons for recommendation

Council has discharged its statutory responsibility to assist all families affected by the mass eviction from RAF Uxbridge. It has also exceeded its statutory duty by offering enhanced incentives to increase the availability of properties. This was a one off incentive above and beyond the Council's normal processes to offer the best possible likelihood that the Council were able to re-house all the affected families during and after this eviction.

Alternative options considered / risk management

None.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

Notting Hill Housing Association took a lease from the owner of 64 units of accommodation on the ex RAF base at Uxbridge in May 2011. The initial lease was for two years with an option to extend for a further two years. Notting Hill offered the properties to the Council under the Housing Association Leasing Direct scheme. These properties are used predominantly as prevention to homelessness and are classed the same as any other private sector tenancy a tenant may hold.

Although the initial lease was due to expire in May 2013, Notting Hill were hopeful that the lease would be extended for the further two years. However, in December 2012 Notting Hill were informed that the development was going ahead and the lease would not be extended. In January 2013, Notting Hill notified all tenants of the end of lease allowing five months notice for all concerned.

Once the Landlord confirmed to Notting Hill that he required the properties back to refurbish and sell, it was agreed to nominate one officer at the Council to be the contact point for the residents to ensure there was continuity in our dealings with the residents. Notting Hill have also kept residents informed of the end of lease through letters, meetings and home visits. In partnership with the Council, everyone has been kept fully informed as the evictions process has moved forward.

The Private Rented Sector in Hillingdon

As an outer London Borough with excellent road and rail transport links, the private rented sector within Hillingdon has steadily grown year on year with private sector rents following a similar trend. With the recent introduction of Welfare Reform, there is a growing gap between what local authorities are able to pay and stay within benefit caps. Rising private sector rents are causing considerable difficulties as councils struggle to procure accommodation to house

homeless families. Also the improving private sector market has meant the rents private landlords can charge non-benefit tenants has significantly increased. The result of this is that many landlords who previously let to the Council are now able to make more money elsewhere. With the lack of new build social housing councils have become increasingly reliant on using private sector properties. However the growing differential in rents the abundance of private rented properties once available to local authorities has dried up, with landlords preferring the lure of the additional income generated by taking private tenants which can amount to thousands of pounds of additional income per year.

How Hillingdon Deal with the issue of Homelessness

Once a resident becomes aware that they may become homeless they can approach the Council who will then assess their eligibility for housing assistance and set their banding and level of housing need/priority. If the homelessness is as a result of eviction from a private sector tenancy then the client will be advised to remain in the property until such time as bailiff's warrants and a court order are obtained and a date for vacating the premises is confirmed. Depending on the clients banding, once the eviction date arrives they will either be placed into Bed & Breakfast temporary accommodation (where the Council have a statutory duty to re-house) or they will be offered assistance to find other suitable accommodation within the private rented sector (for non duty prevention of homelessness cases).

RAF Uxbridge - Initial Contact

Once Notting Hill became aware of the termination of the lease in December 2012 all the families affected were notified by letter in January 2013 and a designated officer was assigned both at Notting Hill and within the Council. The nominated officer arranged visits with all clients at their properties on the RAF base. The clients were visited by the nominated officer from the Council and Notting's Hill's Tenancy Manager for the RAF base. At this meeting the officers went through the options with the clients. They advised them that currently the Council had very little alternative accommodation to offer them and property rarely became available in Uxbridge. The officer advised how if they identified their own private sector tenancy, the council could assist them to claim one months rent in advance and one months deposit via Discretionary Housing Payment. Residents were also advised that the Council would be able to assist with reasonable administration costs charged by letting agents. The officer left contact details along with information regarding what they had discussed and a sheet for them to complete so they could keep a record of the agents they contacted trying to find a property. At this meeting any clients who discussed medical issues with the Council's officer were urged to bring any evidence relating to this medical condition that affected either themselves or a member of their household to the Civic Centre. Any medical information would then be reviewed by the Council's medical advisor to assess the adverse affect the medical condition was having on the households housing needs.

The Council officer kept in regular contact, ringing the clients every couple of weeks. Arrangements were then made for the remaining clients to attend the Civic Centre (some clients had already found their own accommodation and moved). At this meeting, the officers went through with the clients to see their progress in trying to find their own accommodation and see if any further assistance was needed. The officer also assisted each client on the good use of interpersonal skills and useful techniques in order to assist them when contacting landlords and

agents whilst looking for alternative accommodation. Of the 64 families one was evicted for ASB by Notting Hill in April 2013, one was a duty case (where the client was in priority need due to vulnerability) and 62 were non-duty homelessness prevention cases.

Increased Incentives

Due to the problems faced with procuring private sector properties the Council offered enhanced incentives for a short period to try and increase the availability of properties. The Council contacted Landlords and agents that currently let their properties on the Council's Finders Fee Letting scheme in order to try and increase the numbers of properties offered to us to assist in re-housing all families from RAF Uxbridge. This was a one off incentive above and beyond the council's normal processes to offer the best possible likelihood that the Council were able to re-house all the affected families during this eviction.

The Council also ensured that all properties that were made available to the Council on any of the letting schemes the Authority currently operate were offered as a priority to this client group.

Contingency

The Council's Contingency plan for any type of eviction or termination of a tenancy follows the same approach, which is to manage the eviction process and work with any resident affected to assist in their re-settlement to other suitable accommodation. With the eviction from RAF Uxbridge the council has offered these clients an enhanced service to that normally offered to clients who's Landlords want their properties back and have tried to increase procurement of private sector tenancies by offering increased incentives. However, the majority of tenants have chosen to find their own properties, with the Council assisting them to claim for deposits etc so that they are living in properties and areas of their own choosing.

All the clients have now moved and arrangements were made prior to their eviction dates to secure emergency accommodation as they have been evicted, along with vacant garages for them to store their possessions, which is not a service the Council normally provides. To date, the Council has housed thirty six families within Finders Fee or Find-Your-Own properties, three in Housing Association Lease direct (HALDS) properties, two in permanent and twenty two remain in Bed & breakfast temporary accommodation whilst the Council continue to look for suitable accommodation.

Financial Implications

There is no direct cost for receiving a petition and the report proposals do not imply any costs for the Council. Given that the Council has met it's obligations and went beyond statutory requirements, it is unlikely to incur any costs relating to this matter.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To confirm the Council acted in the best interests of the residents effected and went above and beyond its statutory obligations.

Consultation Carried Out or Required

None required

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and notes that there are no direct financial implications associated with implementing the recommendations set out above.

Legal

Local authorities have a range of duties to people who are homeless, and this always includes advice and assistance and often the provision of temporary accommodation. The main housing duty is to accommodate those who are vulnerable, unintentionally homeless and in priority need.

The legal provisions for statutory homeless are contained in the Housing Act 1996, the Homeless Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002.

In this case, the Council has lawfully acted beyond the scope of its statutory duties; the details of this are set out in the body of the report.

The statutory basis for the increased incentives within the Council has offered is the general power of competence, which is contained in Par I of the Localism Act 2011. This power gives local authorities the ability to do anything that individuals generally may do, provided that they do not breach other laws. It is intended to be a power of first, not last, resort.

Relevant Service Groups

N/A

6. BACKGROUND PAPERS

Petition Report