

Imperial Apartments Review

09 June 2022

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1. Introduction

In September 2020, a paper was taken to Cabinet by Councillor Paul Smith to enter into a referral agreement with Caridon for 216 of the ‘Phase 1’ units at Imperial Apartments (link to Cabinet report [here](#)) with the aims of:

1. Giving BCC control over the mix of households living in the site.
2. Allowing BCC to hold Caridon to account over housing management and to provide support to meet tenants’ needs.
3. Providing accommodation at a time of rising homelessness in Bristol and the end of the ‘Everyone In’ initiative.

In March 2021, Cabinet gave approval to enter into a further referral agreements with Caridon for 100 of the ‘Phase 2’ units at Imperial Apartments (link to Cabinet report [here](#)). Additional units were taken on with the aim of meeting the need for affordable private rented accommodation, and ensuring that Imperial Apartments had a positive impact on the people living there and the surrounding community.

On 18 January 2022, Karin Smyth MP wrote to the Cabinet Member for Housing Delivery and Homes, Cllr Tom Renhard, expressing the view that Imperial Apartments should not be considered a long-term housing solution for families with children. Karin Smyth MP requested that Bristol City Council (BCC) consider:

1. Stopping all future HomeChoice allocations to Imperial Apartments for applicants with children.
2. Reinstating to the HomeChoice system, with the same banding as before, any current resident with children who makes such a request.

Cllr Tom Renhard commissioned BCC Officers to review the suitability of Imperial Apartments for families with children, along with the potential impacts of implementing the above recommendations.

2. Housing context within Bristol

Before considering BCC's involvement with Imperial Apartments, it is useful to consider the wider housing context in Bristol. Demand for housing in Bristol vastly exceeds supply which, along with rising living costs, a freeze on Local Housing Allowance (LHA) rates and the continued use of no-fault evictions, has led to unaffordable rents and a lack of long-term security for many.

This can be seen in a number of city-wide metrics. The total number of homeless presentations to the council has remained at historically high levels since January 2019 with over 500 homelessness presentations a month. As of 31 March 2022, there were 1,137 households in temporary accommodation and 16,000 on the HomeChoice waiting list. While the council is investing heavily in delivering affordable homes, the housing crisis remains a key challenge and alternative forms of accommodation must be considered to meet the needs of households.

However, in the private rented sector it is now very difficult to find rents at or below LHA rates, as illustrated by the following table which shows the number and percentage of properties advertised within LHA rates on Rightmove on 31 March 2022:

Type of property	No. advertised	No. within LHA rates	% within LHA rates
Shared Rooms	60	1	1.67%
Studios/ 1 Beds	370	19	5.14%
2 Beds	423	9	2.13%

Where private rented accommodation is found at these levels, it is not uncommon for households to have to offer six months' rent in advance to secure the property.

3. Suitable accommodation

Against the backdrop of this national housing crisis, local authorities face tough decisions on how to meet local need for housing. Local authorities will rarely be able to offer their ideal of accommodation to everyone who needs it, so must instead operate within national guidance to ensure that accommodation is suitable for the needs of households. This area is covered in Part 7 of the Housing Act 1996, which sets out the duties of local authorities to prevent and relieve homelessness.

- For those in accommodation, section 175(3) Housing Act 1996 states that a applicant may be treated as homeless if their accommodation is not **reasonable to continue to occupy**.

- Where a local authority has accepted a duty to provide accommodation for a applicant who are homeless, it must ensure that accommodation offered is **suitable**.

The same principles and case law apply to the questions of whether accommodation is both **reasonable to continue** to occupy, and **suitable**.

General principles for assessing suitability

There is not a one-size fits all approach to suitability; instead suitability must be assessed based on the circumstances of an individual and their household at the time of the assessment. Suitability is based on multiple factors, including:

- The physical condition of accommodation.
- Location.
- Affordability.
- Overcrowding.
- Risk of violence from any person.

In line with the public sector equality duty, the assessment must consider whether the applicant has a disability or other protected characteristic which may affect the suitability of accommodation.

Notably, when assessing suitability, local authorities can take into account practical constraints imposed by finances or the availability of stock in the area, as well as demand from other applicants. They can also consider the housing conditions in the locality.

Standards of accommodation

In deciding whether accommodation is suitable the authority must have regard to the provisions in Parts 9 and 10 of the Housing Act 1985 (on slum clearance and overcrowding) and Parts 1 to 4 of the Housing Act 2004 (on housing conditions, licensing of houses in multiple occupation, selective licensing of other accommodation, and other control provisions in respect of residential accommodation). Authorities should ensure that any accommodation is free of category 1 hazards and is fit for human habitation.

In certain cases, where a local authority offers private rented accommodation to an applicant who it has a homelessness duty towards, the offer of accommodation is subject to an enhanced standard of suitability. In these cases, the local authority must also be satisfied that:

- The accommodation is in 'reasonable physical condition'.
- Any electrical equipment provided complies with electrical safety regulations.
- Reasonable precautions to ensure fire safety and avoid carbon monoxide poisoning have been taken.
- There is a current gas safety record.
- There is a valid energy performance certificate.
- The landlord is a 'fit and proper person'. In this regard the local authority must consider if the landlord has been convicted of certain criminal offences; has contravened any housing or landlord and tenant law; has practised unlawful discrimination; or has breached a code of practice for the management of an HMO.
- The landlord has provided the local authority with a copy of the tenancy agreement to be used, and the local authority is satisfied it is adequate.

Requesting a review of suitability

Where a local authority makes an offer of accommodation, the applicant can request an internal review of its suitability. Applicants are advised to accept the offer of accommodation while they request a review in case the accommodation is still considered suitable after the review has been completed. A request for review must be made within 21 days of the decision that the accommodation is suitable.

If the reviewing officer upholds the decision that the accommodation is suitable, the applicant can appeal to the County Court on a point of law. The County Court can quash the decision, or vary a decision of suitable to not suitable.

A person can complain to the Local Government and Social Care Ombudsman (LGSCO) or start judicial review proceedings about the suitability of accommodation offered to them in the course of a homelessness application.

4. Overview of BCC's involvement with Caridon

Caridon Property Group converted the former office block at Park View Campus into residential accommodation under Permitted Development Rights. Permitted Development Rights were introduced by the Government in 2013 and allowed developers to convert offices into residential accommodation without seeking planning permission from local authorities. Instead, developers were only required to make a 'prior approval' application which, at the time that Caridon looked to develop Imperial Apartments, only permitted local authorities to consider transport and highways impacts, contamination risks and flooding risks. Bristol City Council were therefore unable to enforce other typical planning regulations such as minimum space standards at the Imperial Apartments site. In April 2021, new rules came into force requiring Permitted Developments to meet the Nationally Described Space Standards (NDSS).

Concerns were raised around, among other things, the scale of the development, Caridon's reputation/ business model and the size of individual flats. As it was not possible to prevent the development from going ahead, the decision was made for BCC to actively involve itself with the site to try to mitigate concerns and to use the development to meet local housing need.

Together the referral agreements give BCC the right to refer households into a total of 316 of the 466 properties on site. The remaining properties are let privately by Caridon.

Households who view and accept a property sign a 12-month fixed term Assured Shorthold Tenancy directly with Caridon as the landlord. After 12 months, the tenancy becomes a statutory period tenancy with a notice period of one month.

All 466 properties are let as private rented accommodation. BCC does not use Imperial Apartments as section 188 interim accommodation under the Housing Act 1996.

5. Key terms of the referral agreements

Referral Agreement	Phase One	Phase Two
Start Date	12/10/20	29/03/2021
End date	12/10/2025	29/03/2026
Break clause	BCC can give six months' notice to end the agreement from 12/10/2023. The earliest date for ending the agreement is therefore 12/04/2024.	BCC can give six months' notice to end the agreement from 29/03/2024. The earliest date for ending the agreement is therefore 29/09/2024.
Units	216 in total, made up of: <ul style="list-style-type: none"> 196 which can only be let to BCC referrals. 20 'excluded' properties which can be let to either BCC referrals or privately by Caridon. 	100 in total, made up of: <ul style="list-style-type: none"> 88 which can only be let to BCC referrals. 12 'excluded' properties which can be let to either BCC referrals or privately by Caridon.
Breakdown of units	149 x studios 11 x 1-bedroom flats 56 x 2-bedroom flats (including 20 'excluded' properties)	25 x studios 6 x 1-bedroom 69 x 2-bedroom flats (including 12 'excluded' properties)
Bad debt liability	BCC is liable for 50% of bad debt on flats let to BCC clients.	BCC has no liability for bad debt.
Void liability	BCC is liable to pay for void losses on non-excluded units within each phase. Liability starts from five working days after a void unit becomes ready to let and ends when a unit is viewed and accepted by a BCC referral. During the initial implementation of each phase, BCC had staggered targets for filling units and was liable for void costs if and until these targets were met.	
Rent cap	The rent on every flat let to a BCC referral is capped at Local Housing Allowance (LHA) rates and there is no service charge.	

6. Outcomes to date

New tenancies

322 households have moved into Imperial Apartments through the referral agreements. This includes:

- 46 from 'Everyone In' emergency hotel provision.
- 198 from the Homelessness Prevention Team and other homelessness outreach and prevention routes, including those housed in temporary accommodation.
- 42 from BCC supported housing pathways.
- 36 bid for a property via HomeChoice.

Tenancies ended

34 tenancies have ended since the start of BCC's initial referral agreement:

- 8 have moved on after the end of their 12-month fixed term tenancy.
- 16 have mutually surrendered their tenancy.
- 6 have abandoned.
- 4 have deceased.

Mutual surrenders have been used to bring a tenancy to an end before completion of the 12-month fixed term period where it has become clear that the accommodation is not suitable.

7. Referral criteria and process

Referral criteria:

To be eligible to be referred for accommodation at Imperial Apartments, individuals must meet the following criteria:

- Over the age of 18 (unless a child of the main applicant).
- Low or no support needs.
- Deemed able to live independently with minimal ongoing resettlement and floating support.
- Can currently afford to live in the property sustainably.
- No known history of sex offending.
- Is not on the multi-agency public protection arrangements (MAPPA) register.
- Does not have a known history of, or conviction for, arson in the last 10 years.
- Is not a known perpetrator of violence, whether there has been criminal or civil proceedings or not.
- Where an individual has been a victim of domestic abuse, BCC will not make a direct offer of accommodation at Imperial Apartments. If the client makes an expression of interest to a property at Imperial Apartments this will be considered but only if it is felt that the client will not be at risk.
- Where a client has a known history of being a perpetrator of domestic violence within the last three years, including where there have not been criminal or civil proceedings, they will not be considered for accommodation at Imperial Apartments.
- Not known to be engaging in chaotic alcohol and substance misuse. If they have historic support needs concerning addiction issues, the Housing Options Service initially, then Caridon, should be satisfied that the person presents no risk to property, people or their tenancy sustainment.
- Not known to be a daily or persistent user of cannabis in a way that is likely to cause building management issues.
- Client does not own a pet. In some circumstances the Landlord may allow a small household pet but permission will need to be sought as part of the client's application. No cats or dogs are allowed at the property.
- Has not been convicted of or has not had a history of dealing/supplying drugs in the last 3 years.

Referral process

BCC's Private Renting Team (PRT) receive referrals from Housing Advisor within BCC's Homelessness Prevention Team and Support Workers from the supported accommodation pathways. Referrers must ensure the nominees 'Trusted Assessment' is up to date on BCC's Housing Support Register, as this provides key information about support needs and risk.

The PRT assess nominee's Trusted Assessment against the above referral criteria. Where the criteria are met, the nominees are sent to the Welfare Rights and Money Advice Service (WRAMAS) who perform an income and expenditure assessment. Nominees may be turned down by WRAMAS if it appears that the accommodation will not be financially sustainable.

Referrals are then sent to Caridon on a Referral Form which holds basic personal information about the applicant. The information passed on to Caridon only includes what is necessary and proportional in accordance with GDPR and data protection regulations. Caridon invite the applicant to view two flats, or one if there are not two available. Caridon carry out an informal assessment of the applicant when they conduct the viewing, but no further formal assessments are made by Caridon. There is opportunity for Caridon to decline or query the suitability of the applicant based on their behaviour and/or information disclosed at the viewing, in which case the referral is escalated for a decision between BCC and Caridon management.

Where Caridon accept the referral and the applicant views and accepts a property, they sign a 12-month fixed term Assured Shorthold Tenancy directly with Caridon as the landlord. After 12 months, the tenancy becomes a statutory period tenancy with a notice period of one month.

Recommendations:

1. To update the referral criteria to include additional guidance around referring individuals who have mental health support needs. Although this is covered under the requirement to have 'low or no support needs' it would be helpful to expand on how this applies to mental health.

8. Meetings and reporting process

BCC has set a number of processes to monitor Imperial Apartments with the aim of quickly identifying and resolving issues and improving the experience of tenants. These include:

1. Weekly joint operational meetings and trackers.
2. Monthly management meetings and reports.
3. Monthly arrears meetings and tracker.
4. Client update forms.

Weekly joint operational meetings and trackers

Key staff from BCC, Caridon and support services attend this meeting. The meeting focuses on operational matters including referrals, sign ups, tenant issues, arrears, maintenance and community development. This meeting provides an opportunity for Caridon and BCC staff to make support teams aware of tenants who would benefit from support, and for support teams to raise any issues raised by their clients.

Caridon updates reports for the weekly meetings which include all building maintenance issues, arrears status of each tenant and ASB incidents. These are discussed and updated as a group at the meetings. Recently a tracker has been introduced for people that Caridon feel may be struggling with their wellbeing and mental health and could be referred to support.

Monthly management meetings and reports

Monthly management meetings are held between the BCC commissioners and Caridon management staff. This meeting focuses on escalated issues, emerging themes and contractual matters. Regular items on the agenda include; complaints, safeguarding, serious incidents, void loss, bad debt payments, health and safety/building compliance or maintenance issues and community development.

A week prior to this meeting Caridon send across monthly reports which include a detailed overview of voids, arrears data, complaints, ASB cases, incidents, and maintenance issues. This is reviewed by the BCC commissioners and discussed at the management meetings.

Monthly arrears meeting and tracker

Monthly arrears meetings are focused on arrears and attended by BCC commissioners, Caridon staff and the WRAMAS manager. The meeting aims to identify tenants who are starting to build arrears and take appropriate action to address issues and avoid rent related evictions. Caridon bring an updated arrears tracker that includes total arrears for each tenant, how they arose, what actions are being taken to address the arrears and what warning stages Caridon have actioned. This is discussed thoroughly and support from WRAMAS is offered where necessary. The BCC Commissioning Officer contacts relevant support teams to keep them updated with the status of their clients' arrears and to flag actions that need to be taken for specific clients. If a tenant does not have a support worker then the most appropriate support team will offer support around arrears.

Client update forms

These forms are sent to BCC by Caridon on-site staff following any incidents relating to BCC referred tenants as they occur. This includes welfare concerns, tenancy breaches, instances of ASB other serious incidents. Serious incidents are brought immediately to the attention of the BCC Commissioning Manager for any urgent follow up actions required. Other less urgent incidents are brought to the attention of managers attending the internal BCC weekly Imperial Apartment meetings for any follow up actions to be discussed and delegated.

9. Income and expenditure

BCC Income:

BCC has been awarded £130,000 per annum in grant funding from the Department for Levelling Up, Homes and Communities (DLUHC) towards Imperial Apartments for 2021-22, 2022-23 and 2023-24. BCC is waiting to hear whether this will be extended to 2024-25.

BCC Expenditure:

The following table outlines BCC's expenditure on Imperial Apartments between October 2020 and the end of February 2022.

Payments made between October 2020 and February 2022	Cost
Bad debt liability	£5K
Void loss during implementation of Phases 1 and 2	£35K
Void loss liability	£11K
Security costs	£90K
Community Development Worker	£47K
Capital funding (awarded to BCC by DLUHC), matched by Caridon, towards on-site reception, timers for heaters and communal areas including IT suites and gyms.	£95K
Total cost	£283K

Going forward, it is expected that:

- Bad debt may increase as more tenancies come to the end of their 12-month fixed term period.
- Void losses will decrease as initial implementation period has passed.

The following table sets out expected annual payments:

Expected annual payments from April 2022	Cost
Bad debt liability	£10K
Void loss liability	£10K
Security costs	£70K
Community Development Worker (0.5 FTE)	£20K
Increase in support (subject to decision)	£20k
Total cost	£130K

Caridon's gross income from Imperial Apartments

The table below estimates the annual rental income Caridon receives from the 466 flats at Imperial Apartments. This based on the following assumptions:

- All 466 units being let at LHA rates. Note that the flats that Caridon let privately are not capped at LHA rates so may generate additional income per week let.
- 100% occupancy with no allowance for voids or bad debt. However, as noted above, BCC is liable for some void costs for both Phase 1 and 2, and some bad debt costs for Phase 1.
- Figures do not take account of any of Caridon's expenditure (e.g. on-site staff, cleaning, maintenance) and some of this information has not been provided by Caridon for inclusion in the report

Flat Size	Phase 1	Phase 2	Private Lets	Total
Studio	£1,242,697.25	£208,506.25	£642,199.25	£2,093,402.75
1 Bedroom	£83,402.50	£50,041.50	£16,680.50	£150,124.50
2 Bedroom	£554,332.80	£683,017.20	£702,814.80	£1,940,164.80
Total	£1,880,432.55	£941,564.95	£1,361,694.55	£4,183,692.05

10. Key staff involved with Imperial Apartments

BCC commissioned services

BCC commissions the following posts and services that work with tenants at Imperial Apartments:

- **BCC Community Development Worker** - 0.5 FTE focused solely on Imperial Apartments. This post was full-time during the implementation period.

- **Salvation Army Floating Support Service** – Provide visiting support to single people at Imperial Apartments.
- **LiveWest Resettlement Support Service** – Provides visiting support for people who move on from support accommodation pathways.
- **BCC Tenancy Support Service** – Provide visiting support for families, including some who live at Imperial Apartments.
- **BCC Supported Lettings Service** – Provides visiting support to individuals moving on from temporary accommodation and prevention services.
- **BCC Welfare Rights and Money Advice Service** – Assesses whether Imperial Apartments will be financially sustainable for potential tenants. Provides expert advice of debt, budgeting and welfare benefits.

Support from services is designed to be short term to help tenants to settle into Imperial Apartments, however support is flexible and where necessary teams will continue to work with individuals or re-start support after closing a case. All support services attend a weekly operation meeting to ensure a consistent and coordinated offer of support is provided.

In addition to the above, BCC currently pays for 85 hours of on-site security a week (see below for further information on security).

Recommendations:

2. To increase access to support for tenants, it would be helpful if support services could provide on-site drop ins. However, to do this they would need a confidential meeting space, which does not currently exist (see recommendation below for Caridon to provide meeting spaces).
3. To use the DLUHC funding allocated for Imperial Apartments to provide additional support for tenants at Imperial Apartments, particularly as floating support services are due to be remodelled in 2022/23 which will affect the capacity of some of the BCC commissioned services listed above.

Caridon staff

Caridon pay for the following staff who work on-site at Imperial Apartments:

- **Regional Manager** – Main point of contact for BCC
- **Building Manager** – Leads on tenant matters
- **Universal Credit and Housing Benefit Officer** – Leads on rent payments and arrears
- **Administrator** – Supports the work of other on-site staff
- **2 x Maintenance Operatives** – For on-site repairs.

In addition to the above, Caridon currently pay for:

- 30 hours of cleaning of communal areas (6 hours x 5 days a week)
- 65 hours of on-site security a week (see below for further information on security).

Additionally, several staff from Caridon's head office are involved in Imperial Apartments, including:

- **Director of Housing**
- **Managing Director**
- **Executive Assistant to Managing Director/ Project Manager**

Recommendations:

4. 30 hours of cleaning seems low for such a large site, which is reflected in a number of complaints made by tenants about the condition of communal areas. It is recommended that Caridon increase the amount of cleaning provided to improve standards.

On-site security

The referral agreement sets out that:

- Caridon must pay for a minimum of 28 hours of security a week.
- BCC will pay for a maximum of 86 hours of night security a week.

Currently, Caridon pay for 65 hours of daytime security a week, and BCC pays for 86 hours of night security. This provides on-site security between the following times:

- Monday-Friday: 11am-6am (single cover)
- Saturday-Sunday: 10am-6am (single cover, with a second worker between 10pm-6am)

Recommendations:

5. In light of the income that they are receiving from the site, it is recommended that Caridon take on the responsibility for providing security across the nights to free up BCC's budget to provide more support for tenants.
6. It is also recommended that security or concierge is provided from 8am to provide a presence in reception in the mornings for post/ deliveries/ visitors.

11. Flat sizes

Setting maximum occupancy levels – initial approach

When entering into referral agreements with Caridon, it was recognised that the flats at Imperial Apartments were small. To prevent over-occupation and poor living conditions, BCC considered different standards for setting a maximum occupancy for each property.

There is not a legally enforceable space standard that directly applies to Imperial Apartments. Caridon developed Imperial Apartments under Permitted Development rights. At the time, the Nationally Described Space Standards (NDSS) did not apply to Permitted Developments. None of the 316 units within the referral agreements meet the sizes set within these standards.

The closest applicable standards are the HMO Licensing Standards. Although Imperial Apartments is not a HMO, it was felt that these standards provide a useful guide to the minimum amount of space different households require. The HMO Licensing Standards are based on the sizes of individual rooms within a property, rather than the overall property size. At the start of Phase 1, Caridon provided overall property sizes for each of the 316 units, but said that they did not have a breakdown of individual room sizes within properties which prevented the application of these standards.

BCC therefore instructed its Private Housing Team to visit a number of properties at Imperial Apartments and suggest a maximum occupancy level for each. This advice was then generalised to the rest of the flats based on the total flat sizes that had Caridon provided, as shown below:

Type	Flat size (m2)	Maximum Occupancy
Studio flats	<29	1 Adult
	29 +	2 Adults
1-bed flats	<32	1 Adult
	32 +	2 Adults
2-bed flats	<32	2 Adults
	32 – 39	1 Adult, 1 Child under 5
	40 – 43	1 Adult, 1 Child
	44 – 49	2 Adults, 1 or 2 Children

Children aged over five years old

BCC wrote a lettings plan which originally suggested that families with children over five years old should not be placed into Imperial Apartments due to concerns about the amount of living space in the flats. However, this was found to be inconsistent with:

- The maximum occupancy levels (above) which allowed for children over five to be placed in some flats.
- The approach taken elsewhere in the city which would allow children over five to be placed in comparably sized accommodation elsewhere.

As a result, 24 households have been referred for, and have accepted, accommodation at Imperial Apartments who have children aged between five and 17 years old.

Additionally, there was not a process in place for families with children under the age of six in 2-bed flats between 32-39m2 for when their children turned six years old. There are two households in this position, both of whom have been offered a move to a bigger 2-bed flat.

Applying the maximum occupancy standards

An issue was highlighted through the review that the maximum occupancy standards above were not checked for a number of referrals due to this requirement not being communicated to a new staff member. As a result, 18 of 322 households living at Imperial Apartments are in properties which are smaller than the standards set.

New approach to maximum occupancy standards

As part of the review, Caridon were again asked to provide sizes of individual rooms within properties. Despite previously saying this information was not available, during the review Caridon were able to find and supply this information for all flats.

Concerningly, the dimensions given in the new document indicated that the total flat sizes for all but seven of the properties were smaller than the dimensions given by Caridon originally. On average, the sizes in the spreadsheet are 1.7m2 smaller per flat than in the original information supplied. The

largest difference was a 2-bedroom flat which was 6.7m² smaller in the spreadsheet than in the original information supplied.

This discrepancy was highlighted to Caridon. Caridon stated that the information was supplied by an external sub-contractor who have not been responding to requests about the information. To date, Caridon have not been able to explain the inconsistency in the dimensions provided.

The new document provided allows us to apply the HMO Licensing Standards as a guide to the maximum occupation for flats, although Imperial Apartments is not used for HMOs so these standards are not enforceable. The HMO Licensing Standards are set out in the table below:

Room sizes where the room is for the sole use of occupier(s)

	Number of Persons		
	1 person under the age of 10	1	2
Kitchen	N/A	4 m ²	5 m ²
Combined kitchen and living room	N/A	11 m ²	15 m ²
Bedroom	4.64 m ²	6.51 m ²	10.22 m ²
Combined bed and living room	N/A	9 m ²	14 m ²
Combined bedroom, living room & kitchen	N/A	13 m ²	19 m ²

Room sizes where the room is shared by occupiers

	Number of Persons							
	1-3	4	5	6	7	8	9	10 ⁱ
Kitchen ⁱⁱ	5 m ²	6 m ²	7 m ²	9 m ²	10 m ²	10 m ²	11 m ²	11 m ²
Total communal living space ⁱⁱⁱ	13.5 m ²	17 m ²	18 m ²	20 m ²	22 m ²	24 m ²	26 m ²	27.5 m ²

Based on these standards:

- 19 households at Imperial Apartments are over-occupying properties if using the HMO Licensing Standards as a guide.
- Of those 19 households, 13 are the same as the households over-occupying based on the misapplication of the initial standards set (see above). Five of the households over-occupying on the initial standards set are not over-occupying if using the HMO standards as a guide.
- 9 x 2-bedroom properties are only suitable for one adult if using the HMO standards as a guide.
 - 8 of these are excluded properties.
 - 1 of these is included in the main referral agreement.
- 3 x studio flats fall below the 13m² minimum for one adult (12.1m², 12.4m², 12.6m²) if using the HMO standards as a guide.

It should be noted that whilst 19 households are over-occupying according to the HMO Licensing Standards, none of these households would be assessed as over over-occupying based on the Statutory Overcrowding Standards (although these standards are not generous).

Recommendations:

7. Caridon to carry out a thorough review into the discrepancies in the data provided on flat sizes.
8. To agree new maximum occupancy levels for all flats based on the HMO Licensing Standards.
9. Ensure new standards are communicated to all relevant staff, including new starters.
10. Review whether to exclude children aged over five years old to any of the properties.
11. Offer the 19 households who are over-occupying properties based on the HMO Licensing Standards the chance to move to larger flats as they become available.
12. Ensure that the 9 x 2-bedroom properties which are only suitable for one adult are reclassified as 1-bedroom flats.
13. Remove the 3 x studio flats which fall below HMO Licensing Standards from the referral agreements.

12. On-site facilities and community development

On-site facilities

Tenants at Imperial Apartments have access to the following on-site facilities:

- Indoor children's soft play area
- Outdoor children's playground
- 3 x gyms
- 3 x IT suites
- 3 x landscaped courtyards

However, given the size of the development, there is a lack of communal spaces for tenants to access, particularly given the fact that individual properties are small. Caridon do refer to certain spaces as communal space, however these are not fit for purpose as they are essentially wide corridors on the way to flats.

It is recommended that additional options are explored, including repurposing the existing cycle storage space. This space includes provision for 688 cycles however is chronically underused, with a maximum of around 50 cycles being stored at any one time.

Community development

The BCC Community Development Worker is responsible for facilitating on-site groups and opportunities for tenants. In addition to this, tenants have also developed grass root community groups. Groups/ activities include:

- A resident's football team
- Coffee mornings for families
- A convenience shop set up and run by a tenant
- A food hub hosted by Caring in Bristol
- A drop in hosted by Shelter
- A gardening group during the summer
- Parties for the tenants at Christmas and on summer bank holidays
- An event happened in October 2021 to showcase local employment opportunities, with approximately 60 residents attending.

Caridon also regularly run events in collaboration with the BCC Community Development Worker and have supported with funding for BCC led events. Events initiated by Caridon have included:

- Children’s craft events during school holidays for Halloween, Christmas and Easter
- Fitness sessions such as Zumba and Yoga
- Events during Mental Health Awareness week
- Opening events for the indoor and outdoor play areas

While these groups are positive, there is a lack of on-site meeting space for groups to be held or for services to meet confidentially with clients.

Currently, there is no resident’s association/ resident involvement group, so ideas or issues from tenants are fed individually to Caridon. A formal group would be helpful for enabling a better dialogue between tenants and Caridon, to ensure that tenants are consulted on key decisions and have the opportunity to raise ideas and issues.

Recommendations:

14. For Caridon to develop additional communal spaces for households to access in recognition of the fact that individual property sizes are small. Options to include exploring whether the existing cycle storage could be repurposed as a more functional communal space.
15. For Caridon to develop spaces which can be used for group work, and for support teams to work on site and meet with clients in a confidential environment.
16. For the Community Development Worker to lead on setting up a Tenant Involvement Group, giving tenants the chance to discuss ideas and issues as a group and with involvement from Caridon, BCC and local councillors.

13.Complaints, incidents and safeguarding referrals

Complaints

BCC has received complaints from 21 tenants at Imperial Apartments since the start of the first referral agreement in October 2020. This includes complaints sent via Members and MP. The table below summaries the issues raised by these tenants, with each complaint usually raising more than one issue:

Issues raised with BCC	No.
ASB: noise	11
ASB: unspecified	10
ASB: drug use	10
Concerns about other tenants (general)	7
Lack of response by Caridon staff/ security	7
Harassment/ abuse from other tenants	6
Size of flats	6
Condition of property (e.g. cleanliness, bins, pests)	5
Maintenance issues	5
Mould/ damp	4
Behaviour of Caridon staff	3
High energy costs	3

Issues with fob system	2
Pets	2
Post going missing	1

As BCC is not directly responsible for Imperial Apartments, complainants are signposted to Caridon for them to investigate and respond to complaints and to put issues right. Complaints are also raised in monthly management meetings between BCC and Caridon to discuss and make a plan to resolve both individual issues and wider themes.

In October 2021, BCC started asking Caridon for monthly reports on complaints they received directly. Since then, Caridon have received 27 complaints from a total of 12 tenants. Please note that maintenance issues are logged by Caridon as a repair request in the first instance, but can become a complaint if the tenant is unhappy with how the repair has been followed up. The table below summaries the issues raised by these tenants, with each complaint usually raising more than one issue:

Issues raised with Caridon	No.
ASB: noise	8
Condition of property (e.g. cleanliness, bins, pests)	4
Harassment/ abuse from other tenants	3
Maintenance issues	3
Lack of response by Caridon staff/ security	2
Obstructive parking	2
Behaviour of Caridon staff	1
Concerns about other tenants (general)	1
Mould/ damp	1
Pets	1
Breaches of data protection	1

Caridon's complaint policy states that they should respond to complaints in writing within 10 working days. Caridon report that they have responded to 78% of complaints within these timescales.

In April 2022, Caridon provided the following summary against the most common complaints raised:

Issue	Action Taken
ASB	<ul style="list-style-type: none"> Action is taken in line with Caridon's ASB policy. Caridon serve a first warning then an acceptable behaviour contract. If behaviour continues they serve an eviction notice. There are currently three tenants referred by BCC who are under notices and awaiting court proceedings for ASB. Where noise complaints are due to day-to-day household noises rather than ASB, tenants are advised to keep a noise diary so that Caridon can investigate solutions with them. Tenants are also advised that they can contact the noise team at the council with the noise diary.
Pests/ bins	<ul style="list-style-type: none"> Caridon have a contract with a pest control company who visit monthly to lay rat traps/bait. Maintenance staff spend one hour each morning sorting through rubbish in the bin store and litter picking the car park.

	<ul style="list-style-type: none"> • Signage has been installed in the bin store asking tenants to make sure they are putting their rubbish into the bins properly. • Emails have been sent to tenants reminding them that all rubbish should be put into provided bins and advising of charges that will be applied for anyone found to be fly tipping.
Communal cleaning	<ul style="list-style-type: none"> • Caridon pay for 30 hours cleaning a week. Caridon have drawn up a schedule of the areas which require cleaning. • Ad hoc cleaning requests from tenants are reviewed each morning and passed onto the cleaner to attend the same day. • Caridon state that as tenants do not pay a service charge towards accommodation they are encouraged to clean up after themselves around the building and ensuring litter is placed in bins provided.
Parcel thefts	<ul style="list-style-type: none"> • Where a parcel theft is reported to Caridon they advise tenants to contact the police immediately to log the theft. CCTV is provided to the police by Caridon. • Caridon review CCTV to see if they can identify the person responsible. If so, Caridon will approach them to try and retrieve the parcel and will follow up with the tenant in line with their ASB procedure. • Caridon will be moving the post boxes to a more secure location to stop parcels being left unattended by delivery drivers. Caridon aimed to have this completed by the end of March 2022 but have not completed this due to a vacancy in their maintenance team. They are currently recruiting a second maintenance operative and hope to have moved the post boxes by 8th May 2022.
Mould/damp	<ul style="list-style-type: none"> • Caridon say that instances of mould or damp in flats are investigated by the maintenance team within 24 hours of the maintenance request being logged. • Caridon report that all instances reported to them have been surface mould only, caused by a condensation build up on the windows during the cold weather over the winter months. In these cases, the maintenance team have removed the mould by wiping it away and applying a mould treatment/repainting where necessary. The maintenance team also spend time with the tenant explaining how they can reduce condensation by using their heaters and wiping down the windows in the flat regularly. • Each tenant is given a copy of a 'preventing mould and condensation' guide during their sign up, which they are required to read and sign.

Safeguarding concerns

Caridon report safeguarding concerns to BCC using Client Update Forms. Commissioners will liaise with Caridon and support providers to ensure that safeguarding concerns are raised with the local authority and will discuss immediate steps to ensure the safety of tenants and/or their children. Cases are reviewed on an ongoing basis at weekly client meetings.

Since the start of the first referral agreement in October 2020, 12 safeguarding concerns have been raised by Caridon, as summarised in the following table:

Safeguarding Concerns	No.
Adult welfare concern	1
Child welfare concern	11
Total	12

Incidents, crime and ASB

Caridon report incidents to BCC using Client Update Forms. Since the start of the first referral agreement in October 2020, they have sent through 50 incidents, as summarised in the following table:

Incident category	No.
Physical assault	11
Drug dealing	8
Intimidation/ threats	7
Mental health concerns	7
Theft/ burglary	5
Death	4
Drug use	3
Possession of weapon	3
Self-injury	3
Indecent exposure	1
Grand Total	50

BCC is seeking data from the police on the level of crime and antisocial behaviour reported at Imperial Apartments, however this has not yet been provided.

In December 2021, BCC officers met with the Inspector for the area who advised that the level of crime did not seem disproportionately high based on the number of properties at the site. BCC is seeking a further meeting with the police in April 2022, however informal comments suggest that there have been fewer calls to the police since December 2021.

Recommendation:

17. To schedule quarterly meetings between BCC, Caridon and the police to analyse data, highlight concerns and put in place actions.

14. Energy costs

The UK is currently facing an energy crisis, adding to the cost-of-living crisis, with the average household bills predicted to increase by £693 (from £1,277 to £1,971) per year. The Government has increased the price cap and further increases are possible.

Against this context, a number of tenants at Imperial Apartments have raised concerns that their energy costs seem disproportionately high based on the size of their flats. BCC asked Caridon to write a document giving an overview of the key elements which contribute to tenants' energy costs (e.g. insulation, heating units, boilers) and setting out an action plan specifying how they will help

mitigate rising energy costs for tenants. The report notes that Caridon will aim to support tenants by:

- Ensuring tenants are aware of financial help available to them (e.g. Warm Home Discount, Winter Fuel Payments).
- Supporting tenants to register with an energy supplier when moving in.
- Asking local charities to provide drop-in sessions to tenants around energy bills.
- Providing better guidance and support to tenants to use the storage heaters.
- Ensuring the number of heaters in communal spaces are sufficient.
- Exploring whether solar panels could be installed at Imperial Apartments to benefit both tenants and Caridon.

BCC has asked for Caridon to engage with third party consultants who can provide additional guidance around steps that Caridon can take to reduce energy bills for tenants.

Recommendation:

18. BCC to hold Caridon accountable for mitigating the rising energy costs of tenants, including through Caridon's action plan.
19. Caridon to engage with third party consultants for advice on how to reduce energy bills for tenants.

15. Analysis of Karin Smyth MP's requests

Request to consider stopping all future HomeChoice allocations to Imperial Apartments for applicants with children

BCC does not currently advertise properties at Imperial Apartments through HomeChoice and do not have any plans to do this again.

Flats at Imperial Apartments were advertised through HomeChoice towards the start of BCC's agreement with Caridon in October 2020. This was done with the intention of giving an option to families who were unlikely to access social housing through HomeChoice due to their banding, and to create a more diverse community at Imperial Apartments.

26 families accessed Imperial Apartments after bidding on properties through HomeChoice. Where households move address, their HomeChoice application will close if they do not reapply within four weeks and their banding may change based on their new circumstances.

Request to consider reinstating to the HomeChoice system, with the same banding as before, any current resident with children who make a request

The following table shows the number of households living at Imperial Apartments with children:

Households with children	No.
Households with 1 child	94
Households with 2 children	7
Total	101

The following table shows a breakdown of the ages of children living at Imperial Apartments:

Ages of children	No.
Aged 0 - 1	45
Aged 2 - 5	42
Aged 6 - 10	12
Aged 11 - 18	7
Unknown ages	2
Total	108

There are several factors to consider in response to this request.

1. The availability of social housing through HomeChoice

With over 16,000 people on the waiting list for HomeChoice Bristol and demand for social housing exceeding supply, it is not realistic for many households to expect housing through this route. While the council is investing heavily in delivering affordable homes, the housing crisis remains a key challenge and alternative forms of accommodation must be considered to meet the needs of families.

2. The allocations policy

The banding system contained within the HomeChoice Bristol allocations policy is designed to ensure that those who have the greatest need for housing can access it first. Applications are assessed based on a household's circumstances at the time of application. Reinstating the banding of residents at Imperial Apartments prior to when they moved in would require consideration as it is not in line with the current HomeChoice Bristol Allocation Policy.

3. Private sector rents

Due to demand for housing exceeding supply and a freeze on LHA rates, it is now very difficult for families to find private rented properties at or below LHA rates. Where accommodation is found at these levels, it is not uncommon for families to have to offer six months' rent in advance to secure the property. Imperial Apartments offers private rented tenancies at Local Housing Allowance (LHA) rates with no rent in advance and access to a deposit loan scheme through Great Weston Credit Union.

4. Financial implications

Under the referral agreements, BCC has a responsibility for nominating suitable households to a total of 93 x 2-bed flats. It is unlikely that BCC would be able to fill these flats without nominating families with children, which would lead to significant void costs for BCC.

- Each void 2-bed flat within the referral agreement would cost BCC £9,898.80 per annum.
- If all 93 2-bed flats were void, BCC would be responsible for paying a total of £920,588.40 per annum.
- If all 93 2-bed flats were let as 1-bed properties, BCC would be responsible for paying a total of £144,945.15 per annum.

Support available to families to find alternative accommodation

While noting the challenges with accessing social housing highlighted above, families can reapply to HomeChoice Bristol within four weeks of moving address to continue to try accessing housing through this route. The [HomeChoice Bristol Housing Allocation Scheme](#) details of the factors considered as part of the banding assessment.

BCC's Private Renting Team (private.renting@bristol.gov.uk, 0117 352 6888) is available to support households looking to move into alternative private rented accommodation. The team can:

- Give advice on how to look for properties.
- Talk to a potential landlord on behalf of applicants.
- Help applicants prepare for appointments with landlords to give a better chance of getting a property.

In some cases, the Private Renting Team can also:

- Offer financial help with our deposit bond scheme, an interest free loan with repayment terms of up to five years.
- Help with rent in advance.

16. Conclusion

BCC had little opportunity to get planners involved in the development of Imperial Apartments due to the use of Permitted Development Rights, so entered into negotiations with Caridon to try and influence the site for the better and to find a way to make use of some of the flats to support local people in temporary accommodation and at risk of homelessness. This has been described as the least worst option given the circumstances, but is still an option that has supported over 300 households away from homelessness.

The property sizes at Imperial Apartments are not generous, but in most cases do not fall under the sizes for Licensable HMOs. However, it is recognised that the flats at Imperial Apartments are not HMOs and it could be contested whether these standards should apply.

In addition to individual properties, families have access to a soft play area and outdoor playground, as well as on-site gyms and IT suites which are free for tenants to use. To give tenants a better experience, it is recommended that further communal spaces are provided by Caridon.

Rents are set at LHA rates and no rent in advance is required, which makes Imperial Apartments more affordable than the majority of private rented accommodation in the city.

Referral criteria are designed to prevent people with medium or higher support needs from being referred to the site. Where support needs are subsequently identified, there are processes and services in place to quickly identify and offer support to tenants.

There are reports of incidents including crime and antisocial behaviour, however based on statements made by the police this does not appear to be disproportionately high based on the number of units. Robust monitoring is needed to support relevant agencies to work together to tackle and reduce issues affecting tenants.

Caridon manage the properties and assume all of the rights and responsibilities which would normally fall on a landlord. BCC meet regularly with Caridon to ensure they take these obligations seriously and to offer support for the benefit of tenants.

Although Imperial Apartments may not be our preferred option, this review finds that, in line with legislation considering 'suitability', it is suitable for many families with children. Nevertheless, there are opportunities to improve the experience of families at Imperial Apartments by implementing the recommendations in this review, and these will be followed up by officers in communication with the Cabinet Member for Housing.

17. Summary of recommendations contained in this report

The report makes the follow recommendations for Cllr Tom Renhard to consider:

1. To update the referral criteria to include additional guidance around referring individuals who have mental health support needs. Although this is covered under the requirement to have 'Low or no support needs' it would be helpful to expand on how this applies to mental health.
2. To increase access to support for tenants, it would be helpful if support services could provide on-site drop ins. However, to do this they would need a confidential meeting space, which does not currently exist (see recommendation below for Caridon to provide meeting spaces).
3. To use the DLUHC funding allocated for Imperial Apartments to provide additional support for tenants at Imperial Apartments, particularly as floating support services are due to be remodelled in 2022/23 which will affect the capacity of some of the BCC commissioned services listed above.
4. 30 hours of cleaning seems low for such a large site, which is reflected in a number of complaints made by tenants about the condition of communal areas. It is recommended that Caridon increase the amount of cleaning provided to improve standards.
5. In light of the income that they are receiving from the site, it is recommended that Caridon take on the responsibility for providing security across the nights to free up BCC's budget to provide more support for tenants.
6. It is also recommended that security or concierge is provided from 8am to provide a presence in reception in the mornings for post/ deliveries/ visitors.
7. Caridon to carry out a thorough review into the discrepancies in the data provided on flat sizes.
8. To agree new maximum occupancy levels for all flats based on the HMO Licensing Standards.
9. Ensure new standards are communicated to all relevant staff, including new starters.
10. Review whether to exclude children aged over five years old to any of the properties.
11. Offer the 19 households who are over-occupying properties based on the HMO Licensing Standards the chance to move to larger flats as they become available.
12. Ensure that the 9 x 2-bedroom properties which are only suitable for one adult are let by Caridon as one person flats.
13. Remove the 3 x studio flats which fall below HMO Licensing Standards from the referral agreements.
14. For Caridon to develop additional communal spaces for households to access in recognition of the fact that individual property sizes are small. Options to include exploring whether the existing cycle storage could be repurposed as a more functional communal space.
15. For Caridon to develop spaces which can be used for group work, and for support teams to work on site and meet with clients in a confidential environment.
16. For the Community Development Worker to lead on setting up a Tenant Involvement Group, giving tenants the chance to discuss ideas and issues as a group and with involvement from Caridon, BCC and local councillors.
17. To schedule quarterly meetings between BCC, Caridon and the police to analyse data, highlight concerns and put in place actions.

18. BCC to hold Caridon accountable for mitigating the rising energy costs of tenants, including through Caridon's action plan.
19. Caridon to engage with third party consultants for advice on how to reduce energy bills for tenants.

Signed: Paul Sylvester, Head of Housing Options, Bristol City Council

Date: 09 June 2022