

A meeting of the **CABINET** will be held in **CIVIC SUITE 0.1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **THURSDAY, 16 MARCH 2017** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

APOLOGIES

1. MINUTES (Pages 5 - 16)

To approve as a correct record the Minutes of the meeting held on 9th February 2017.

**A Roberts
388015**

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item.

3. PROVISIONAL AGREEMENT FOR TRANSFER OF LOAN (Pages 17 - 26)

To consider a report by the Head of Resources on the transfer of a loan.

**C Mason
388157**

4. NEW CAMBRIDGESHIRE HOUSING ADAPTATIONS AGREEMENT AND REFRESHED HUNTINGDONSHIRE HOUSING RENEWAL ASSISTANCE POLICY (Pages 27 - 112)

To consider a report by the Housing Strategy Manager on a new Cambridgeshire Housing Adaptations Agreement and a refreshed Huntingdonshire Housing Renewal Assistance Policy.

**C Hannon
8203**

5. THE HUNTINGDONSHIRE DESIGN GUIDE (Pages 113 - 144)

To consider a report by the Head of Development seeking endorsement for a revised Huntingdonshire Design Guide.

**C Kerr
388430**

6. CORPORATE PLAN REFRESH (Pages 145 - 148)

To consider a report by the Corporate Team Manager to which is attached a refreshed Corporate Plan.

**A Dobbyne
388100**

Dated this 8 day of March 2017



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it -*
 - (a) relates to you, or*
 - (b) is an interest of -*
 - (i) your spouse or civil partner; or*
 - (ii) a person with whom you are living as husband and wife; or*
 - (iii) a person with whom you are living as if you were civil partners*

and you are aware that the other person has the interest.
- (3) *Disclosable pecuniary interests includes -*
 - (a) any employment or profession carried out for profit or gain;*
 - (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
 - (c) any current contracts with the Council;*
 - (d) any beneficial interest in land/property within the Council's area;*
 - (e) any licence for a month or longer to occupy land in the Council's area;*
 - (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
 - (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

Non-Statutory Disclosable Interests

- (4) *If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.*
- (5) *A Member has a non-statutory disclosable interest where -*
 - (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*
 - (b) it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or*
 - (c) it relates to or is likely to affect any body –*
 - (i) exercising functions of a public nature; or*
 - (ii) directed to charitable purposes; or*
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.*

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Please contact A Roberts, Democratic Services, Tel No. 01480 388015/e-mail Anthony.Roberts@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CABINET held in the Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 9 February 2017.

PRESENT: Councillor R B Howe – Chairman.

Councillors J A Gray, D Brown, G J Bull, R Harrison, J M Palmer, Mrs A Dickinson, R Fuller and J E White.

APOLOGY: An apology for absence from the meeting was submitted on behalf of Councillor S Cawley.

77. MINUTES

The Minutes of the meeting held on 19 January 2017 were approved as a correct record and signed by the Chairman.

78. MEMBERS' INTERESTS

Prior to the consideration by the Cabinet of Minute No. 81, Councillor D Brown declared a non-statutory disclosable interest by virtue of managing a business which paid a levy to BID Huntingdon as well as being a Member of, and the Mayor of, Huntingdon Town Council.

79. INTEGRATED PERFORMANCE REPORT 2016/17 QUARTER 3

The Cabinet considered a report (a copy of which is appended in the Minute Book) which commented on progress against the Key Actions and Corporate Indicators listed in the Council's Corporate Plan for 2016/17 for the period 1 October to 31 December 2016. The report was presented by the Executive Councillor for Strategic Resources in conjunction with the Finance Manager.

The report incorporated progress on the current projects being undertaken at the Council; Financial Performance Monitoring Suite information as at the end of December 2016 and an update on the Commercial Investment Strategy including details of the investments to date and the level of returns expected to be generated.

In addition the report now included progress on achievement regarding the Peer Challenge Action Plan following its approval by the Cabinet in November 2016 (Minute No.61 referred).

It was noted that those key actions listed as a red status were already known to the Cabinet in particular the issues surrounding the percentage of operational CCTV cameras and the reduction in the number of staff sickness days lost per full time employee.

At the recent Employment Committee meeting progress made in managing long-term sickness cases was reported and at the end of

Quarter 3 the Council's sickness absence rate was lower than at the same point last year. The Council remained committed to reducing sickness absence and the adoption of a new Sickness Absence and Attendance Policy in November appeared to have had a positive impact on attendance rates. Managing sickness absence was a key priority for Senior Management Team and the Managing Director continued to review every long-term sickness case on a monthly basis.

In referring to Appendix C – Project Performance and those projects with a red status, the Cabinet were informed that a Commercial Estate Manager had been employed on a temporary basis to progress the projects which were all currently listed as a red status.

The Cabinet were referred to Appendix D of the report which detailed the Financial Performance Monitoring Suite information. It was explained that the Forecast Net spend for November was £17.2m which was an underspend of £0.7m and the underspend of £1.9m regarding the Forecast Capital spend compared to the Budget. The Appendix provided explanations for The Revenue Forecast variances across all services.

Appendix E detailed the status of the Zero Based Budget (ZBB) savings agreed as part of the 2016/17 Budget. It was noted that although those listed as a red status related to car parking charges and homelessness, the ZBB exercise had been productive with the majority of savings being delivered.

During discussions more explicit key performance indicators were requested that specifically related to executive portfolios, represented in a straightforward manner. Although the document was comprehensive it needed to be rationalised with fewer variations of graphs incorporated. It was further requested that for comparison purposes data reflecting the last three years should be incorporated into the document, not just the previous year.

Comments from the Overview and Scrutiny Panel (Performance and Customers) were circulated to the Cabinet subsequent to the agenda publication, the Panel meeting having occurred following the agenda publication.

Whereupon it was

RESOLVED

That the Cabinet

- i. considered and commented on progress made against Key Activities and Corporate Indicators in the Corporate Plan and current projects, as summarised in Appendix A and detailed in Appendices B and C of the report; and
- ii. considered and commented on the Council's financial performance as at the end of December 2016, as detailed in Appendices D and E of the report.

80. BEARSCROFT FARM LOCAL LETTINGS PLAN

By way of a report (a copy of which is appended in the Minute Book) presented by the Executive Councillor for Housing and Regulatory Services, the Cabinet received a Local Lettings Plan for adoption for the initial letting of 51 affordable rented properties on Bearscroft Farm development site, Godmanchester.

The Council's Lettings Policy provided the legal framework as to who might be accepted onto the Council's Housing Register and how those households were prioritised for available socially rented housing within the District.

Local Lettings Plans were able to be adopted as an Appendix to the Lettings Policy as a means of varying the Lettings Scheme to create more mixed communities by setting aside a proportion of vacancies for applicants who were in employment and were often used on the initial lettings on new build estates.

A Local Lettings Plan had been developed, which followed good practice guidelines and aimed to create a balanced and mixed community within the socially rented new build properties on the Bearscroft Farm development site, Godmanchester.

The Cabinet were referred to paragraph 2.2 of the submitted report which detailed the allocation of the affordable dwellings to Bands A, B and C. The 51 affordable rented properties being delivered on the site would initially be apportioned equally between households in the various priority bands on the Housing Register, the shortlisting for properties would ensure that properties were apportioned between households both in and out of employment. Any subsequent letting of the properties would accord with the Lettings Policy at that time.

The Cabinet were supportive of the new Plan and for it to be established with future developments. In response to a question it was explained that the Local Lettings Plan and the Policy was unable to provide for people who had specific links to a respective area. However, was a consideration for developments on exception sites. A concern was expressed that the Plan could lead to legal challenge or perceived impartiality. However, the Plan had been developed following good practice guidelines and was a transparent document delivered by one registered provider.

Having considered the comments of the Overview and Scrutiny Panel (Performance and Customers) which had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication, where it was noted that the Panel along with Godmanchester Town Council were supportive of the Plan, the Cabinet requested that a review report be presented in twelve months' time, given that this was the first Plan to be adopted by the Council. In conclusion is was

RESOLVED

- i. that the Cabinet adopt the Local Lettings Plan for rented properties being built by Cross Keys Homes at the Bearscroft Farm development, Godmanchester; and

- ii. that a review report is presented to the Cabinet in twelve months' time.

81. HUNTINGDON BUSINESS IMPROVEMENT DISTRICT (BID) STAGE 2

Prior to the consideration by the Cabinet, Councillor D Brown declared a non-statutory disclosable interest by virtue of managing a business which paid a levy to Business Improvement District (BID) Huntingdon as well as being a Member of, and the Mayor of, Huntingdon Town Council.

The Cabinet considered a report (a copy of which is appended in the Minute Book) presented by the Executive Councillor for Growth following BID Huntingdon concluding its five year term and the requirement for a re-ballot in the summer of 2017.

At the recent Overview and Scrutiny Panel (Economy and Growth) meeting a presentation had been delivered to the Panel by the BID.

During the past five years the BID had successfully delivered the approved Business Plan and projects funded through the BID included Town Rangers, free membership to Huntingdonshire Business Against Crime (HBAC) scheme, LIVE magazine, business support, training and information, support for events, along with all the marketing events and promotional activities including the Huntingdon First website.

Over the course of the next 5 years it was envisaged that the BID would raise almost £1m, around 90% of which would be generated from the private sector for the support and development of a vibrant town centre. As a levy payer the Council contributed £10,680 annually towards the BID and as the collections agency the Council charged the BID £5,961 for issuing invoices and collecting the levy.

In order to continue its work the BID had to seek endorsement for a second period of up to five years by means of a ballot of all potential levy payers in the summer. The Council's Returning Officer was responsible for instructing the ballot holder to hold a BID ballot for which full costs would be recovered from BID Huntingdon.

In response to a question it was explained that the Executive Councillor for Growth was the appointed District Council representative on BID Huntingdon and attended most meetings along with the Economic Development Manager.

Referring to the map of the BID Huntingdon area it was explained that the BID area included the ring road and businesses within the perimeter of the ring road. Businesses outside of the ring road were not required to pay a levy to BID Huntingdon but often subscribed to HBAC.

The comments of the Overview and Scrutiny Panel (Performance and Customers) had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication. Having considered the comments of the Panel the

Cabinet disagreed with its recommendation and concurred that the Head of Development should be able to cast positively any votes to which the District Council was entitled in the ballot, following which the Cabinet,

RESOLVED

- i. to authorise the Head of Customer Service to enter into the BID levy Operating Agreement required in order to meet the Council's obligations under the Local Government Act 2003; and
- ii. to authorise the Head of Development to cast positively any votes to which the District Council is entitled in the ballot.

82. DEVELOPMENT PLANS POLICY ADVISORY GROUP (DPPAG) TERMS OF REFERENCE

The Cabinet considered a report (a copy of which is appended in the Minute Book) presented by the Executive Councillor for Growth regarding revised Terms of Reference for the Development Plans Policy Advisory Group (DPPAG).

The DPPAG was an Advisory Group established by the Cabinet in May 2000. Since its establishment the planning system had significantly changed which required revisions to the Terms of Reference.

The revised Terms of Reference had been considered by DPPAG and were included within the submitted report.

Having noted that the DPPAG was likely to meet more frequently now that progress was being made on preparation of the Huntingdonshire Local Plan, the Cabinet,

RESOLVED

to approve the revised Terms of Reference for the Development Plans Policy Advisory Group as listed within the submitted report.

83. CORPORATE RISK REGISTER

By way of a report by the Internal Audit and Risk Manager (a copy of which is appended in the Minute Book) the Cabinet were presented with Risk Register information as at 9 January 2017 and the changes that had occurred since it was considered by the Cabinet in June 2016 (Minute No. 14 referred).

Following the meeting in June 2016, the Cabinet had approved a new Risk Management Strategy which separated the automatic link between Corporate and Operational risk levels and the thirteen risk areas.

Senior Management Team had reviewed the full Risk Register against the new Risk Management Strategy where four risks had been added and 52 risks removed, resulting in the reduction of the

total number of risks to 66.

Future risk reports would be presented to the Cabinet on a more regular basis and would identify risks by risk appetite category. Over the course of a municipal year this would allow the Cabinet to review the whole register. Due to the large number of changes that have been made, it was felt appropriate that the Cabinet had the opportunity to review all changes that had been made along with the current Corporate risks.

It was agreed amongst the Cabinet that the Corporate Risk Register should be presented annually. However, the appendices to the report should be emailed quarterly to the Cabinet which would enable Members to be aware of any risks and highlight any areas of concern.

In response to a question regarding risk reference 141 - the Council did not provide effective community leadership and engagement opportunities leading to the reduced inclusion of key sections of the community – it was explained that confirmation was awaited from the Head of Community Services following which the risk would be removed from the register.

Following a request it was confirmed that in addition to the risk appetite level rating that the Cabinet would also be provided with the scoring matrix.

The comments of the Overview and Scrutiny Panel (Performance and Customers) had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication. Having considered the comments of the Panel the Cabinet concurred that the majority of the issues raised by the Panel were already incorporated within the risk management framework or accounted for within the Budget, following which the Cabinet,

RESOLVED

- i. to note the changes made to the Risk Register since it was considered by the Cabinet in June 2016; and
- ii. having reviewed and scrutinised the Corporate Risk Register, that no further risks be included.

84. NATIONAL NON-DOMESTIC RATES DISCRETIONARY RATE RELIEF POLICY

The Cabinet considered a report (a copy of which is appended in the Minute Book) presented by the Executive Councillor for Strategic Resources to establish the Council's Discretionary Rate Relief Policy for the term of the new Local Rating List which was expected to be until 31 March 2022.

The Council had the power to set its own Discretionary Rate Relief Policy. Every rating assessment was undergoing revaluation by the Valuation Office Agency, in its statutory duty of compiling and maintaining Local Lists which billing authorities had to bill according to, with the new list becoming effective from 1 April 2017.

The revaluation might create significant changes in rateable values, especially after the last revaluation was conducted seven years previous, and with the Government changing other mandatory reliefs from 2017/18, it was essential that the Council reviewed its Discretionary Rate Relief Policy to ensure against inequalities, anomalies, and unintended consequences.

The Cabinet agreed that to support economic growth in rural communities the Council should continue its current policy of awarding 100% relief in all cases where the Council was fully reimbursed by way of Section 31 (Burden) Grant.

The comments of the Overview and Scrutiny Panel (Performance and Customers) had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication. Having considered the comments of the Panel, the Cabinet

RESOLVED

to approve:

- i. the Discretionary Rate Relief Policy as detailed in Appendix 1 (Charities, Community Amateur Sports Clubs and Non-Profit Making Organisations), and Appendix 2 (Section 44a “Part-Occupation” Relief and Section 49 “Hardship” Relief) of the submitted report;
- ii. the Discretionary Rate Relief Policy of awarding relief under Government Proposals in all instances where the Council is 100% reimbursed by Section 31 “Burden Grant” pending the required change in primary legislation;
- iii. the granting of Discretionary Rate Relief for qualifying ratepayers (subject to state aid rules) in the Alconbury Weald Enterprise Zone;
- iv. the award of Section 47 “Localism Reliefs” only in highly exceptional cases where no other alternative relief is applicable, and the ratepayer aids benefit to the amenities of the community and/or to the aims of the Council’s Corporate Plan;
- v. that the Head of Customer Service and the Local Taxation Manager be delegated authorisation to approve the award of Discretionary Rate Relief; and
- vi. that the Corporate Director be delegated authorisation to deal with appeals against Discretionary Rate Relief decisions.

85. FINAL REVENUE BUDGET 2017/18 AND MEDIUM TERM PLAN FINANCIAL STRATEGY 2018/19 TO 2021/22

By way of a report from the Head of Resources (a copy of which is appended in the Minute Book), presented in conjunction with the Executive Councillor for Strategic Resources, the Cabinet considered the final Budget for 2017/18 and the Medium Term Financial Strategy (MTFS) for the period 2018/19 to 2021/22.

At the meeting of the Cabinet in January 2017 the Cabinet approved a Budget requirement of £16.7m for 2017/18, a MTFS that increased to £16.9m by 2021/22 and a Capital Programme of £9.5m for 2017/18 that reduced to £3.0m by 2021/22 (Minute No. 75 referred). This included:

- savings from a detailed line by line Budget review of £700K;
- growth of £1.5m (inflation - £227k; employee pay - £453k and other growth - £775k);
- non-realisation of previously approved Zero Based Budgeting (ZBB) savings of £430k;
- increased income from the Commercial Investment Strategy of £1.0m;
- grant settlement relating to New Homes Bonus and funding estimates for Revenue Support Grant, New Homes Bonus and Business Rates; and
- the new Four Year Settlement from Government.

It was explained that there had since been significant changes to the Budget which were summarised in the submitted report and were detailed in Appendix 2. It was noted that one of the main changes being the Council wide Apprentice scheme of twelve apprentices at a cost of £221k. In response to a question it was explained that with a full complement of apprentices the cost would increase to £331k in 2019/20 and thereafter pay inflation had been added.

The Cabinet expressed concern at the amount of changes required to the Budget since the draft Budget had been approved the previous month which resulted in an additional £835k being required. Concern was also expressed at the Apprentice scheme which Members had not been informed of and therefore a future report to the Cabinet was requested.

In response to a question it was explained that the Apprenticeship Scheme was allocated to the Economic Development Budget as part of the Council's growth and skills agenda.

Tabled at the meeting was a document titled 'Budget Consultation – Headline Results: Business and Voluntary Sector'. It was explained that by law the Council was required to consult its business community once the draft Budget was approved. From the 1590 businesses and voluntary sector organisations invited to complete the survey only 22 responses had been received - an increase of seven responses compared to the previous year.

Although there was a slight increase in the number of responses to the survey the Cabinet were disappointed with the response rate. However, it was accepted that the Economic Development Team had worked hard to develop a database which the survey was directly emailed to and Members were uncertain how the business community could further be encouraged to participate.

Having been referred to paragraph 8 of the submitted report, the Council's Responsible Financial Officer (Section 151 Officer) was required to make a statutory statement in respect of the Budget and Reserves. The Cabinet was informed that Section 8 of Appendix 1

provided further detail and it was considered that the Budget proposed for 2017/18 should not give Members any significant concern regarding the Council's financial position.

With regard to the MTFS (2018/19 to 2021/22) which included the anticipated removal of Revenue Support Grant as core funding by 2019/20 and changes to New Homes Bonus, there were inevitable risks. However, over the past few years the Council had taken proactive action to address its budgetary concerns and with the planned continuation of its Transformation programme and further commercialisation the Council had a sound financial base.

Also tabled at the meeting was a supplementary report that provided further options for Council Tax increases for 2017/18 and the duration of the MTFS. The draft Budget approved in January included a Council Tax increase of 2% for 2017/18 and for the duration of the MTFS. The following options for Council Tax increases considered were:

- i. 1.5% for 2017/18 and 1.5% through the MTFS;
- ii. 1.98% for 2017/18 and 1.98% through the MTFS; or
- iii. 2% for 2017/18 and 1.5% through the MTFS.

One view amongst the Cabinet was to support the proposal included in the draft Budget for a Council Tax increase of 2% for 2017/18 and for the duration of the MTFS, on the basis that there was a minimal financial difference per property between an increase of 1.5% and 2% and the majority of properties in the District were in Council Tax Bands A-C. The Council remained one of the lowest charging authorities and had frozen Council Tax for the past four years. It was noted that the majority of survey responses from the business community had indicated support for an increase in Council Tax.

To assure the residents of the District that the Council would continue to identify future savings, it was suggested that the Council should increase Council Tax by 2% for 2017/18 and 1.5% through the MTFS.

Overall there was a consensus amongst the Cabinet for a Council Tax increase of 2% for 2017/18 and 1.5% through the MTFS as it was suggested that this was a reasonable proposal and good compromise having frozen Council Tax increase over the past four years. It was noted that if necessary an increase in Council Tax could be considered during the Budget preparations during the next financial year.

The comments of the Overview and Scrutiny Panel (Performance and Customers) had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication. Having considered the comments of the Panel, which were welcomed by the Cabinet, it was suggested that the Panel consider ways that it could ensure the additional cost for the transformation work provided good value for money; that the predicted £5.2m of rental income during 2017/18 was compelled by the identification of suitable properties; and that the 1% pay increase for staff was incorporated within the Budget.

In considering the recommendations contained within the submitted

report, subject to the amendments required following the proposal to increase Council Tax by 2% for 2017/18 and 1.5% through the MTFS, the Cabinet

RESOLVED

That Council be recommended to approve the:

- i. overall budget 2017/18 and Medium Term Financial Strategy 2018/19 to 2021/22 as detailed in Appendix 1 (which includes Revenue at Section 2 and the Capital Programme at Section 3 and Appendix 2, growth) of the submitted report, subject to the following amendment:**

A Council Tax increase of 2% for 2017/18 and 1.5% through the Medium Term Financial Strategy

- ii. fees and charges for 2017/18 as detailed in Appendix 1, Section 7 and Annex A of the submitted report; and**
- iii. new Plan-on-a-Page as detailed in Appendix 3 of the submitted report, subject to the amendment listed in (i) above.**

86. 2017/18 TREASURY MANAGEMENT STRATEGY

By way of a report from the Head of Resources (a copy of which is appended in the Minute Book) presented in conjunction with the Executive Councillor for Strategic Resources, the Cabinet was presented with the Treasury Management Strategy (TMS).

The Council was required by law to approve, on an annual basis a TMS. This requirement was enshrined within relevant Codes of Practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and other guidance issued by central government.

The aim of the TMS was to manage the Council's investments, cash flows, banking, money market and capital market transactions, loans and borrowings within the requirements of an effective control environment whilst in pursuit of optimum performance and yield, and at the same time managing the risk.

The Cabinet were referred to Appendix 5 of the report and it was explained that the TMS included the Minimum Revenue Provision (MRP) Policy, the charge to revenue for the repayment of debt, and included the different MRP approaches for the general capital programme, loans to organisations, and the Commercial Investment Strategy (CIS).

For 2017/18 a new MRP policy had been introduced which would be used where maturity loans had been used to finance expenditure on the CIS.

In response to a question it was explained that discussions with the Council's External Auditors, who reported to the Corporate Governance Committee, were on-going regarding the new MRP

policy and that the model used was similar to that of other local authorities.

Having considered the comments of the Overview and Scrutiny Panel (Performance and Customers) which had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication, the Cabinet

RESOLVED

That the Council be recommended to approve:

- i. the Treasury Management Policy, as detailed in Appendix 2 of the submitted report;**
- ii. the Treasury Management Strategy, as detailed in Appendix 3 of the submitted report;**
- iii. the Prudential, Treasury Management and Commercial Investment Strategy Indicators, as detailed in Appendix 4 of the submitted report; and**
- iv. the Annual Minimum Revenue Provision Policy 2017/18, as detailed in Appendix 5 of the submitted report.**

87. 3C SHARED SERVICES UPDATE

The Cabinet considered a report (a copy of which is appended in the Minute Book) presented by the Executive Councillor for Commercialisation and Shared Services which provided progress of the 3C Shared Services, in terms of Quarter 3 activity and other benefits identified in the Business Case from the first year of operation.

It was explained that there had been significant progress in the past quarter regarding 3C Legal, ICT and Building Control Services and all were completing the 2017/18 Business Plans which included consumption based recharging and improved performance data as the services move from start-up to business as usual.

However, there were some issues regarding the delivery of savings set out in the original Business Cases. The targeted 15% savings identified for 2016/17 was unlikely to be realised due to staff vacancies and the use of temporary staff. However, the achievement of savings in 2017/18 was likely to be positive.

The comments of the Overview and Scrutiny Panel (Performance and Customers) had been circulated to the Cabinet separate to the agenda, the Panel meeting having occurred following the agenda publication. In noting that there had been a good discussion by the Panel regarding the matter, the Cabinet

RESOLVED

to note the report.

Chairman

**Public
Key Decision - No**

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Provisional Agreement for the Transfer of a Loan, previously made to Huntingdonshire Regional College, to Cambridge Regional College as a consequence of the merger of the two colleges.
Meeting/Date:	Overview & Scrutiny Panel (Performance and Customers) – 6 th March 2017 Cabinet – 16 th March 2017
Executive Portfolio:	Strategic Resources: Councillor J A Gray
Report by:	Head of Resources
Ward(s) affected:	All Wards

Executive Summary:

In June 2013, Cabinet approved the lending of £1.5m to Huntingdonshire Regional College (HRC) for a period of 10 years. To date HRC has met all of its loan repayments and currently £1.1m remains outstanding.

As a consequence of a Grade 4 “inadequate” Ofsted inspection of HRC and the subsequent departure of the senior management team, Cambridge Regional College (CRC) has been supporting HRC in the continued management of the college. An “Area Review” of both colleges is currently being undertaken and, as noted in the report from CRC (**Appendix 1**) there is an expectation that this review will conclude that the two colleges should merge.

As part of the merger process, the Council has been asked by CRC to provisionally indicate by the end of March whether it is willing for CRC to take on the loan currently given to HRC. CRC has committed to taking on the current loan to HRC on the same terms as originally agreed with HDC.

By HDC giving provisional agreement to the transfer of the loan, this will allow CRC to:

- produce a “merged” business plan by the end of March,
- undertake relevant due diligence in May, and
- for the Council, along with other lenders, to give their final decision on transfer in June.

Both colleges will then be able to make the relevant resolutions in respect of dissolution and acceptance of assets and liabilities by August. A final decision by HDC in respect of agreeing to the loan transfer will be made in June; following satisfactory legal agreement (including right of assignment), due diligence and consultations with the external auditor.

Recommendation(s):

The Overview and Scrutiny Panel is invited to consider the report and provide relevant comment on the proposal to 'provisionally agree' that the loan given to Huntingdonshire Regional College by Huntingdonshire District Council be transferred to Cambridge Regional College following formal merger.

The Cabinet is

RECOMMENDED

To give provisional agreement that the loan given to Huntingdonshire Regional College by Huntingdonshire District Council be transferred to Cambridge Regional College following formal merger.

1. PURPOSE OF THE REPORT

- 1.1 To seek provisional agreement of members for the transfer of a loan, previously made to Huntingdonshire Regional College (HRC) to Cambridge Regional College (CRC) as a consequence of the merger of both colleges.
- 1.2 CRC has requested that the Council indicates as soon as possible its provisional agreement to the loan transfer to enable it to complete the “merged” business plan for both HRC and CRC in time to commence appropriate due diligence during April and May 2017.

2. BACKGROUND

- 2.1 In June 2013, Cabinet approved the lending of £1.5m to HRC for a period of 10 years to finance the development of facilities at the college. To finance the loan, the Council borrowed £1.5m for the same duration from the Public Works Loan Board at a rate of 2.24%; this was lent on to HRC at a rate of 3.34%. The security provided for the loan was made via a legal charge on the HRC site at California Road, Huntingdon.
- 2.2 As at the end of January 2017, £1.1m principal remained outstanding, to date HRC has not defaulted on any repayment.

3. MERGER OF HRC WITH CRC

- 3.1 Appended at **Appendix 1** is a report produced by CRC that details all relevant information in respect of the current situation facing HRC and its collaboration with CRC, including a timetable of key milestones. A summary is shown in paragraphs 3.2 to 3.5.
- 3.2 During 2016, both CRC and HRC were subject to an Ofsted inspection; where CRC received a Grade 2 “good” assessment and HRC received a Grade 4 “inadequate” assessment. Further, both colleges are currently subject to a Greater Cambridgeshire and Greater Peterborough Area Review which is due to be completed in late March 2017; there is an expectation that this review will conclude that the two colleges should merge. The target merger date is 1st August 2017.
- 3.3 Following the Ofsted report, the Principal and Vice-Principals of HRC left the college and now CRC is providing direct support to HRC through the sharing of the same Principal and Interim Chief Financial Officer.

LOAN TRANSFER

- 3.4 Under the terms of the loan agreement, a merger of this nature would be considered a default event and the Council would be in its right to require full repayment. However, CRC have requested that the loan is transferred to them in line with the original loan agreement.
- 3.5 At this time, provisional agreement by members is sought to agree the transfer of the loan to CRC to enable CRC to produce a “merged” business plan for both colleges which can be used to undertake relevant due diligence. The Council will be required to make a final decision in June to enable:
 - HRC to pass and publish a resolution to dissolve, and for
 - CRC to pass and publish a resolution to accept the assets and liabilities of HRC.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The report on the provisional agreement for the transfer of a loan, previously made to Huntingdonshire Regional College (HRC), to Cambridge Regional College (CRC) as a consequence of the merger of two colleges was presented to the Panel.
- 4.2 A Member commented that they thought the Council are profiteering from further education as the loan was provided to HRC at a higher rate than was borrowed at. However it was explained that this had to be done due to State Aid Rules otherwise the Council are unable to provide the college with a loan.
- 4.3 The Panel agreed that Cabinet should give provisional agreement that the loan given to HRC should be transferred to CRC following a formal merger.

5. RISKS

- 5.1 As with any merger, there are risks associated where assets and liabilities are brought together. However, it is fair to say that the financial position of both colleges is not ideal but taking into account the fact that:
- the Area Review (3.2) is likely to propose the merger of both colleges,
 - Ofsted has given a Grade 2 and Grade 4 assessment for CRC and HRC respectively,
 - HRC's financial position is weak and without support can potentially have solvency/liquidity issues in the short term future,
-it is likely that the merger will take place.
- 5.2 CRC are currently liaising with Lloyds Bank plc as the only other lender and seeking their provisional approval for the merger; The amount of loans outstanding as at 31st July 2016 was approx. £6.2million (19% of turnover) and has made all due repayments on time since inception. CRC are about to appoint a firm (short listed by Lloyds) for Financial Due Diligence which will provide stakeholders, including banks, the comforts around the financial forecast.
- 5.3 However, CRC is currently forecasting an operating surplus (before restructuring costs) for 2016/17 and is producing a 5-year business plan for the merged colleges. At this time, the draft financial/business plan shows:

Financial Year	CRC – Without Merger	CRC – With Merger
2016-17	£600k - Surplus	-£300k - deficit
2017-18	£512k	£480k
2018-19	£1.1m	£1.2m
2019-20	£1.2m	£1.3m
2020-21	£1.2m	£1.3m
2021-22	£1.2m	£1.3m

- 5.4 Members should also note that if the Council gives provisional approval for the transfer of the loan, that security remains on the current HRC building. For the final report where formal approval for the transfer will be requested (June 2016), a valuation of the security will have been carried out to confirm the value of the security exceeds the loan principal outstanding; the cost of this valuation will be expected to be met by CRC along with any incidental legal costs.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1 The target proposed merger date for CRC and HRC is the 1st August 2017. A detailed timetable of milestones/deliverables is shown in **Appendix 1** and a summary of the key milestones is shown below:

Milestone/Deliverable	Date (2017)
• HDC provisional agreement to transfer of loan from HRC to CRC	March
• Completion of merged three year business plan	March
• Completion of legal and financial due diligence	May
• Agree ongoing lender position with lenders	June
• HRC & CRC pass and publish respective resolutions in respect of HRC dissolution and CRC acceptance of HRC assets and liabilities	End of June
• HRC legal entity dissolves	1 st August

7. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

- 7.1 It is considered that this links to the following elements of the Corporate Plan

- Enabling Communities
 - Support people to improve their health and well-being.
- Delivering Sustainable Growth
 - Develop a flexible and skilled workforce.

8. LEGAL IMPLICATIONS

- 8.1 The existing Loan Agreement is secured by way of a legal charge against the HRC site and is therefore protected. The existing Loan Agreement does not permit the loan to be transferred and the proposed merger will therefore trigger repayment of the outstanding loan amount.

Following merger

- 8.2 HDC have been asked by CRC to transfer the outstanding loan amount to the CRC upon merger of the respective colleges. In legal terms this will involve (subject to HDC approval), a new Loan Agreement which would need to be entered into by CRC simultaneously with the release of the existing Loan Agreement with HRC and registration of the new Legal Charge with CRC against the existing HRC site.
- 8.3 CRC upon merger will need to own the freehold of the HRC site and evidence of the legal title will need to be provided before the release of the HRC existing legal charge and creation of the new legal charge will be entered into. All transactions must take place simultaneously to ensure that the existing legal charge is not released until the new legal charge is in place which is secured against the legal title of the HRC site.
- 8.4 The new legal charge to be secured against the HRC site must be a first legal charge against the HRC site to ensure adequate security for the repayment of the loan amount throughout the term of the loan. It is also recommended that there is provision in the legal charge that no further charges are to be registered

against the HRC site without the prior written consent of HDC which again will be protected by a restriction on the title to the HRC site.

- 8.5 The loan falls under the wellbeing powers (section 2 of the Local Government Act 2000).
- 8.6 CRC has an existing lender Lloyds Bank on the CRC site and consideration needs to be given to the due diligence carried out by the Due Diligence firms once the reports are available, including the structure proposed for the merger.
- 8.7 Prior to final agreement by HDC (expected June 2017); relevant confirmation will be sort in respect of State Aid, assignment and considerations of the external auditor.

9. RESOURCE IMPLICATIONS

- 9.1 There are no direct resource implications arising from this report as a consequence of members giving provisional agreement to the transfer of the HDC loan previously given to HRC to CRC.
- 9.2 Security of the loan will be held on the current HRC building and CRC has committed to meeting the same loan terms as HRC.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 By transferring the loan from HRC to CEC, the Council will be supporting the local community in the continued provision of further education in Huntingdon and the surrounding area.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – CRC/HRC Merger Update for HDC

BACKGROUND PAPERS

None

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Update for Huntingdon District Council on the Proposed Merger of Huntingdonshire Regional College and Cambridge Regional College

Background

Cambridge Regional College (CRC) and Huntingdonshire Regional College (HRC) are two general further education colleges providing a range of skills training to 16-18 year olds and also to adults. Both colleges offer training through classroom based provision and work based provision (mainly through apprenticeships).

Both colleges received an Ofsted inspection in late 2016. CRC was confirmed as a high-performing Grade 2 college whilst HRC received a Grade 4 Ofsted rating. Both colleges are currently part of the Greater Cambridgeshire and Greater Peterborough Area Review process, due to complete on 28 March 2017. It is widely expected that the Area Review will recommend the merger of CRC and HRC.

For the year ending 31 July 2016 CRC achieved an income of £34.5m whilst HRC achieved an income of £12.0m which would give a merged college with a combined income of £46.5m (based on 2015/16 results).

Huntingdon District Council and HRC are counterparties to a Loan Agreement of £1.5m dated 5th August 2013. This Loan Agreement has a duration of ten years and as at 31st July 2016 the outstanding loan balance was £1.17m (HRC 2015/16 Annual Report). The Loan Agreement has a fixed interest rate of 3.34%.

Following the recent Ofsted inspections the Principal, and both Vice Principals of HRC have left the college and CRC are providing direct support to HRC through sharing the same Principal (Mark Robertson) and Interim CFO (Ashok Patel). Also the CRC Deputy Principal for Learning is now dedicated to supporting HRC.

Type and Timeline of Merger

Assuming the proposed merger of CRC and HRC goes ahead it will be a Type 2 merger whereby the HRC legal entity will dissolve and the assets and liabilities of HRC will transfer over the CRC on the merger date.

The target merger date is 1 August 2017. To deliver this the Corporation of HRC needs to pass and publish a resolution to dissolve the legal entity at least a month prior to the merger date – targeted for late June. Also the CRC Corporation needs to pass a resolution to accept the assets and liabilities of HRC upon the dissolution of HRC.

In order to provide each Corporation with the assurance that they can pass these resolutions suitable financial and legal due diligence will be performed on each college and the merged three-year merged college financial forecast. Both Corporations will also require

assurance that the merged college has agreed lending facilities in place and therefore the two current lenders to HRC and CRC (Huntingdon District Council to HRC and Lloyds Bank to CRC) also need to understand the financial due diligence before they can agree to the terms and conditions of the ongoing loan facilities to the merged college.

To achieve this the college will complete its three-year merged financial plan by the end of March so due diligence can be completed through April and early May. The due diligence reports can then be shared with lenders so that the lenders can confirm ongoing arrangements by mid-June - prior to the end of June CRC and HRC Corporation meetings where the final resolutions will be approved.

Appendix 1 contains a detailed timeline for the proposed merger of CRC and HRC.

Benefits of the Merger for Huntingdon

Following the Ofsted grade 4 inspection at HRC and the deteriorating financial position at the college the collaboration with CRC that has already started and the proposed merger will secure the ongoing provision of teaching and learning at Huntingdon going forwards.

The merger plans assume ongoing delivery of teaching and learning at the Huntingdon college which will be known as Cambridge Regional College – Huntingdon Campus following the merger. Without this collaboration and merger with CRC the ongoing viability of a standalone HRC was not certain and so delivery of this merger will significantly reduce the risk of teaching and learning being removed from Huntingdon.

College's Preference for Huntingdon District Council Loan Agreement with HRC

The preference of the College (CRC and HRC) would be to simply continue with the existing loan agreement that is in place between Huntingdon District Council and HRC but to recognize the change in legal counterparty from HRC to CRC.

The College will work with Huntingdon District Council in whatever is required in order to achieve this preferred outcome.

Next Steps

College representatives met with Huntingdon District Council on Feb 2nd and agreed to prepare this update. Upon receipt of this update the council agreed to confirm the timeline and action required from its perspective in order to achieve the timetable set out in Appendix 1.

Appendix 1: Timetable for the Proposed CRC / HRC Merger

The following table contains the key milestones / deliverables in the proposed merger of CRC and HRC to a target date of 1 August 2017:

Milestone / Deliverable	Date in 2017	Responsibility
Appointment of financial and legal due diligence firms	28 th Feb	College
Completion of merged three year business plan	31 st March	College
Start HRC dissolution consultation – publish report and press notices	31 st March	College
TUPE consultation with college unions	April / May	College
Legal and financial due diligence exercise completed	Early May	DD firms
Publish dissolution consultation response report	May	College
Agree ongoing lending position with lenders after sharing financial due diligence report (which will need to be treated as confidential)	May / June	College / Lenders
Proposal details required from lenders for ongoing loan agreements to merged college	Mid-June	Lenders
HRC Corporation pass and publish resolution to dissolve and CRC Corporation pass and publish resolution to accept assets and liabilities of HRC	End of June	College
HRC legal entity dissolves	1 August	

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Cambridgeshire Adaptations Agreement and Huntingdonshire Housing Renewal Assistance Policy

Meeting/Date: Overview and Scrutiny Panel (Communities and Environment) – 7th March 2017
Cabinet 16th March 2017

Executive Portfolio: Cllr Ryan Fuller, Executive Member for Housing and Regulatory Services

Report by: Caroline Hannon, Housing Strategy Manager

Ward(s) affected: All

Executive Summary:

This report provides Members with:

- a copy of the Cambridgeshire Adaptations Agreement (which is a joint agreement between Cambridge City Council (CCityC), East Cambridgeshire District Council (ECDC), Fenland District Council (FDC), Huntingdonshire District Council (HDC), South Cambridgeshire District Council (SCDC) and Cambridgeshire County Council (CCC) in partnership with Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) which establishes a joint strategic approach to delivering housing adaptations from 1st April 2017 to ensure the best use of the capital resources available through the Better Care Fund (BCF).
- a copy of the refreshed HDC Housing Renewal Assistance Policy which has been updated to complement the adaptations agreement.

Recommendation(s):

The Overview and Scrutiny Panel is invited to comment on the Cambs Housing Adaptations Agreement and the HDC Housing Renewal Assistance policy.

The Cabinet is asked to

- endorse the Cambs Housing Adaptations Agreement which establishes a joint strategic approach to delivering housing adaptations to ensure the best use of the capital resources available through Better Care Fund.
- approve the refreshed HDC Housing Renewal Assistance Policy which has been updated to complement the adaptations agreement.

1. PURPOSE OF THE REPORT

- 1.1 The Cambridgeshire Executive Partnership Board (CEPB - multi-agency partnership overseeing health and social care service transformation for older people and vulnerable adults) commissioned a review aimed at taking a wider and more strategic approach to delivery of housing adaptations encompassing both capital (Disabled Facilities Grants (DFGs)) and revenue funds available from all sources as a result of the increased DFG funding available.
- 1.2 The review which commenced in February 2016 and reported to Adults Committee at Cambs County Council (CCC) in November 2016 made 3 key findings:
- New services are needed that consider people's needs in context, including early conversations and planning for the longer term: services need to engage with people before they need an adaptation, and should encourage people to think about whether the accommodation they are living in is suitable for the longer term.
 - Existing services need to adapt to support a growing population: performance in many parts of the county is too slow in the implementation of adaptations funded through DFGs. It is recommended that the ability to 'fast track' commonly requested small adaptations (e.g. level access showers) be introduced and that a full review of existing processes and procedures is needed to speed up the DFG process.
 - Funding arrangements across the system will need to change to support a shift in focus: the significant increase in capital funding offers new opportunities for the Home Improvement Agencies (HIAs) to generate more fees and become financially self-sustainable.
- 1.3 As a result of these findings, a Cambridgeshire Housing Adaptations Agreement has been drafted (Appendix 1) containing principles that the partners can sign up to, including flexible use of the DFG Capital allocation for other grants, relocation expenses and "fast track" adaptations. It also includes provision for the District Councils to use an element of the DFG Capital Allocation to provide Top-up grants or loans that are currently the responsibility of the County Council. This will remove a significant amount of duplication of officer time and confusion for vulnerable households who currently apply to both the District and County Councils.
- 1.4 The HDC Housing Renewals policy (Appendix 2) has been updated to take account of the findings of the CEPB review and the joint adaptations agreement, the updated information is within Appendix Six.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The importance of housing adaptations in supporting people to live more independently in their own homes and communities has increasingly been recognised nationally. In 2016/17 there was a significant uplift in funding for DFGs distributed across all 5 District Councils via the Better Care Fund (BCF) from £1.9 million in 2015/16 to £3.4 million. Further increases in DFG funding are expected year on year until 2020 although these have yet to be confirmed.

- 2.2 The BCF is a pooled budget between local authorities and CCG to encourage a joined-up approach to improving outcomes across health, social care and housing. DFGs are funded from a financial allocation (called the DFG Capital Allocation) which District Councils receive to assist with the provision of adaptations in line with responsibilities under the Regulatory Reform (Housing Assistance) Order 2002. This allocation is delivered via the Better Care Fund (BCF), under which money passes from the Department of Health in Central Government, through County Councils, to District Councils.
- 2.3 HDC's Housing Renewal Assistance Policy was last reviewed in November 2014. The policy has now been updated to reflect the adaptations agreement. Historically, HDC has tended to prioritise funding towards DFGs which are mandatory rather than towards the elements in the Housing Renewal Assistance Policy. For the last year HDC has not made any funding available for the other elements of the Housing Renewal Policy.
- 2.4 The Regulatory Reform (Housing Assistance) Order 2002 provides scope for capital resources received from BCF to be used more flexibly to deliver improved outcomes. This was also highlighted in the findings of the CEPB review which indicated that 'funding arrangements across the system will need to change to support a shift in focus'.
- 2.5 The adaptations agreement includes the following elements which will be reflected in the refreshed HDC Housing Renewal Assistance Policy:

Mandatory Disabled Facilities Grant	A grant provided to eligible households to enable them to continue to live safely in their home.
Discretionary Minor Repair Assistance	A grant paid to home owners who are in receipt of an appropriate welfare benefit to provide minor repairs to keep them safe and warm. Maximum grant £5,000.
Disabled Facilities Top Up Assistance	An interest free loan paid to property owners or a grant paid to Registered Provider tenants to enable relevant DFG work to proceed where the total cost of the work exceeds the maximum DFG amount. A simple means test will apply.
Disabled Persons Relocation Grant	A grant paid to cover the cost of moving to alternative accommodation where the applicant is eligible for a DFG but the cost of moving is less than the cost of adapting the home. Maximum grant £5,000
Special Purpose Assistance	A non-means tested grant of up to £3,000 to provide low cost adaptations or improvement works which are not eligible for a DFG and which may facilitate a person to return home from hospital or enable a disabled person to continue to live safely in their home

- 2.6 The table below provides a summary of the five elements of the current HDC Housing Renewals Policy and indicates whether they will remain, be withdrawn or altered by the refreshed policy:

Repair Assistance	This will be replaced by the new element: Discretionary Minor Repairs Assistance. Funding will be reduced from a maximum of £20,000 to £5,000 per application to achieve greater value from the budget.
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Landlord Grant	The policy enabled landlords to apply for grants to undertake repairs or improvements to private rented properties. No landlord grants have been awarded since 2012/13 as HDC did not provide a budget and accordingly the removal of this policy element should not have any impact.
Disabled Facilities Top up Assistance	This element of the policy will remain. Although HDC removed the budget for this in 2016/17 it is considered essential that we utilise BCF resources to implement this element to ensure complex DFG cases have a means of being resolved. CCC has withdrawn their funding for top ups as a result of the BCF being passed on to districts.
Special Purpose Assistance	This element will remain. However it will be changed to provide a grant rather than a loan as the primary purpose is to provide fast track adaptations such as in the case of hospital discharges. The provision of a loan takes much longer to process due to the associated paperwork and checks.
Disabled Persons Relocation Grant	This element will remain.
Boiler Replacement Scheme	This will be withdrawn but applications for boilers can be submitted through the Discretionary Minor Repairs Assistance policy.

- 2.7 Appendix Six of the refreshed Housing Renewal Assistance Policy sets out the proposed changes to the current approved policy document.
- 2.8 Whilst the housing adaptations agreement is seeking to encourage the flexible use of the DFG capital allocation, Section 1.4 of the agreement does enable HDC to prioritise funding towards mandatory DFGs and to only provide the other elements of the agreement if there is sufficient capital to do so.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 Do not agree to the joint adaptations agreement and do not refresh the Housing Renewal Assistance Policy:
This option was ruled out as it does not meet the wider objectives of the Better Care Fund to take a joined-up approach to improving outcomes across health, social care and housing. Additionally taking a flexible approach to allocating resources enables HDC to implement its Housing Renewal Assistance Policy without investing any additional resources.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The Overview and Scrutiny Panel (Communities and Environment) received and considered a report on the New Cambridgeshire Housing Adaptations Agreement and Refreshed Huntingdonshire Housing Renewal Assistance Policy. The report was welcomed by Members of the Panel.
- 4.2 A Member highlighted that the amendment to the Housing Renewal Assistance Policy concerning boiler replacements could be confusing and appears

contradictory to residents. However it was explained that the amendment confirmed the closure of the Boiler Replacement Scheme, which hasn't been used by the Council for a while, but residents are able to apply for boiler replacements through the Discretionary Minor Repairs Assistance scheme.

- 4.3 The Panel supports the changes and has asked Cabinet to endorse the Cambridgeshire Housing Adaptations Agreement and approve the refreshed Housing Renewal Assistance Policy.

5. KEY IMPACTS / RISKS

- 5.1 The HDC Housing Renewal Assistance Policy which has not had a budget attached to it in recent years can now be funded directly from BCF resources. This will provide residents in Huntingdonshire with a wider range of services available to them and will ultimately improve the housing stock in the district.

6. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 6.1 The Cambs Adaptations Agreement will come into force once it has been approved by all local authorities.
- 6.2 The refreshed Housing Renewal Assistance Policy will come into force with effect from 1st April 2017.

7. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

(See Corporate Plan - <http://teams/corporate-team/service-plans/Service%20Plans/Corporate%20Plan.pdf>)

- 7.1 The Corporate Plan work programme includes the following:
- enabling people to live independently through the provision of adaptation and accessible housing

8. CONSULTATION

- 8.1 Liaison with CCC, CCityC, ECDC, FDC, SCDC.

9. LEGAL IMPLICATIONS

- 9.1 Reducing the number of loans which are available will reduce the necessity to place local land charges.

10. RESOURCE IMPLICATIONS

- 10.1 No resource implications for HDC as the Housing Renewal Assistance Policy will be funded from the BCF allocation. There is significant demand for DFGs in Huntingdonshire and they will continue to be funded as a priority over other elements of the Housing Renewal Assistance Policy.
- 10.2 CCC will no longer provide DFG Top up assistance and their funding for this will cease. However the additional resources provided to HDC by BCF will provide a budget for this policy element.
- 10.3 No additional Officer time will be required as this will be managed within existing resources.

11. REASONS FOR THE RECOMMENDED DECISIONS

- 11.1 The Cambs Adaptations Agreement and refreshed Housing Renewals Assistance Policy enable the flexible use of the BCF allocation which will improve the housing stock overall and provide a more strategic approach to housing adaptations across Cambridgeshire whilst continuing to enable people to live independently. The new policy elements will provide a fast track system which will enable people to be discharged from hospital more timely and will also create a mechanism to resolve complex cases which exceed the DFG limit.

12. LIST OF APPENDICES INCLUDED

- 12.1 Appendix 1 - Copy of adaptations agreement
Appendix 2 - Copy of refreshed housing renewal assistance policy
Appendix 3 - Copy of Adults committee report

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Cambridgeshire

Housing Adaptations Agreement

A joint agreement of:

Cambridge City Council
East Cambridgeshire District Council
Fenland District Council
Huntingdonshire District Council
South Cambridgeshire District Council
Cambridgeshire County Council

In partnership with

Cambridgeshire & Peterborough Clinical
Commissioning Group

Prepared in line with the aims and
aspirations of the Better Care Fund

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SECTION 1 – Background and Strategic Context

1.1 Introduction

The funding for Disabled Facilities Grants and other Grant was historically awarded to the district housing authorities directly from the Department of Communities and Local Government.

In 2008/09 the government extended the scope of the Regulatory Reform Order (2002) to include use of the DFG Capital Allocation. This allowed authorities to use the capital allocation on other types of adaptations, repairs and assistance. The Cambridgeshire authorities hadn't adopted this approach and continued to use the DFG Allocation purely for disabled facilities grants; funding their RRO policy initiatives through separate capital funding directly from their own capital budgets.

In 2014 the Government recognised the contribution good, accessible, warm and safe housing makes to improved health and social care outcomes and passed the DFG Allocation capital funding to the Department of Health to be included in the Better Care Fund. This was then passed down to the housing authorities by the County Council as required by BCF regulation.

The inclusion of the DFG Capital Allocation within the BCF and the new focus on housing working more closely with health and social care triggered the five district housing authorities, the County Council and the CCG to carry out a Review of DFGs and adaptations in Cambridgeshire led by the County Council as a project within the Older People's Accommodation Strategy. The review was initiated in early 2016 at the same time as the Government announced a significant increase in the DFG Capital allocation. In Cambridgeshire this meant an increase in capital allocation from £1.9m to £3.4m. The DFG Review was completed in September 2016 and resulted in three key findings:

1. New services are needed that consider people's needs in context, including early conversations and planning for the longer term.
2. Existing services will need to adapt to support a growing population
3. Funding arrangements across the system will need to change to support a shift in focus.

A key recommendation of the Review was to develop a joint policy across the partners to allow the more flexible use of the increased DFG Capital Allocation in line with the Better Care Fund focus on delivering health priorities and outcomes. The allocation cannot be spent more flexibly without the adoption of a Policy.

1.2 Strategic Context and Key Priorities

As the DFG capital allocation is now directed from the Department of Health through the Better Care Fund, the BCF Plan is the overarching strategic document that partners are now working to.

Cambridgeshire Better Care Fund Plan 2016/17.

As part of preparing the BCF Plan for Cambridgeshire, all organisations in Cambridgeshire agreed to the following vision for health and social care services:

Over the next five years in Cambridgeshire we want to move to a system in which health and social care help people to help themselves and the majority of people's needs are met through family and community support where appropriate. This support will focus on returning people to independence as far as possible with more intensive and longer term support available to those that need it.

This shift is ambitious. It means moving money away from acute health services typically provided in hospital and from ongoing social care support. This cannot be achieved immediately – such services are usually funded on a demand-led basis and provided as they are needed in order to avoid people being left untreated or unsupported when they have had a crisis. Therefore reducing spending is only possible if fewer people have crises: something which experience suggests has never happened before. However this is required if services are to be sustainable in the medium and long term.

Other strategies also recognise the crucial role that suitable housing plays in enabling people to live independently at home highlighting this in their own strategic priorities and outcomes:

- Health & Wellbeing Strategy;
- Cambridgeshire County Council Business Plan
- CCG - System Transformation Plan
- Cambridge Sub-regional Housing Statement
- District Housing Strategies

1.3 The Purpose and Scope of this Document

The purpose of this Agreement is to join together a common understanding of the strategic priorities of the five district housing authorities, the County Council and the Clinical Commissioning Group, to acknowledge the value good housing makes towards supporting these priorities and outcomes, and a framework from which to develop a shared Adaptations Policy across the district housing authorities.

The aim is to make best use of the Capital resources available through the Better Care Fund in Cambridgeshire and to promote partnership working and consistency of service for all residents of Cambridgeshire in order to meet the partners' shared priorities. This Joint Agreement is designed to provide a framework for a consistent approach to the use of capital resources for adapting the homes of vulnerable people in order to maintain independent living for longer.

The Better Care Fund Policy Framework 2016/17 states: 'The Disabled Facilities Grant (DFG) will again be allocated through the Better Care Fund. Local housing authority representatives should therefore be involved in developing and agreeing the plan, in order to ensure a joined-up approach to improving outcomes across health, social care and housing'. This Agreement demonstrates the partners commitment to adopting a joined up approach.

Independence at home may not necessarily be achieved by keeping people in the home they are currently living in by carrying out repairs and adaptations, but also through the provision of positive options to re-locate where appropriate. Where adaptations are required, this Agreement supports the delivery of high quality works in as short a time as possible.

Any policy developed by the district housing authorities as a result of this Agreement will ensure the best use of resources to achieve shared aims while recognising that there may be local policy differences within each district area. It is anticipated that although the aim is to agree a common policy, each district will expect to retain local initiatives, procedures, application processes and approvals.

1.4 Capital Resources

BCF Capital Allocation

The DFG Capital Allocation for Cambridgeshire has increased from £1.9 in 2015/16 to £3.4m in 2016/17. This is allocated across the districts as shown in the table below. While at the time of writing the actual amounts for 2017/18 onwards are unknown, it is expected that the total DFG Capital Allocation will increase nationally by 2019/20 to £500m providing incremental increases across the County.

Local Authority	Previous DFG Capital Allocation 15/16	Current DFG Capital Allocation 16/17
Cambridge	£304,000	£576,272
Fenland	£498,545	£844,881
Huntingdonshire	£549,000	£1,018,751
E Cambridgeshire	£260,000	£472,949
S Cambridgeshire	£312,241	£566,013
Total	£1,923,786	£3,478,886

This Capital allocation is currently passed from the County Council to the districts in full. However this Agreement allows the individual district housing authorities, if they choose, to return capital to the County Council in appropriate circumstances. If this is agreed locally the County Council will use any such funds to complement its equipment and minor adaptations functions.

While this policy is designed to encourage flexible use of the DFG Capital Allocation, the availability of sufficient capital to meet the need for mandatory Disabled Facilities Grants should be seen as a priority.

SECTION 2 – Developing a Joint Adaptations Policy

2.1 Providing a Framework

This Joint Agreement on Housing Adaptations provides a framework from which the districts will work towards developing a Joint Adaptations Policy.

Partners will take into account the responsibility of owners to primarily maintain their own properties. However it also considers their ability to do so, their access to sufficient resources to carry out any necessary works, and the vulnerability of the different groups, especially in terms of maintaining independent living, reducing the number of older people moving into care homes due to inadequate housing and ensuring that people do not remain in hospital longer than necessary due to their housing circumstances at home.

2.2 Delivering adaptations

While the decisions to approve Grants remain with the local housing authorities across Cambridgeshire, Home Improvement Agencies (HIAs) provide support and professional technical advice to ensure that the works are carried out to a satisfactory standard, and that they meet the applicant's needs.

For most grants a fee is charged by the HIA which is covered by the grant (up to the maximum grant available). District partners will make their own decisions regarding the level of fees charged in their areas, balancing demands on their HIA services, the level of capital available, the amount of fee income required to provide an effective HIA service and the impact on clients of any fee increase.

2.3 Types of assistance available

The partners to this Agreement agree that within any Joint Adaptations Policy there will be provision for the following elements:

2.3.1 Mandatory Disabled Facilities Grants

The district housing authorities award Mandatory Disabled Facilities Grants (DFG's) according to the governing legislation and guidance issued by Central Government, which determines amongst other things the maximum amount of grant, the type of work that can be funded, the maximum contribution to be made and the test of financial resources that must be applied.

There is an expectation that performance on the time taken to deliver DFGs will improve and that performance measures and targets will be set. Districts agree to consider how they can fast-track standard adaptations either within or outside of the DFG framework and any policy will provide sufficient flexibility to facilitate this.

2.3.2 Discretionary Minor Repair Grants

The Joint Adaptations Policy should allow discretion, where capital funding allows, to provide Minor Repairs Grants for small works of repair, for example, to replace or repair rotted woodwork, minor electrical works, rainwater goods or other repairs that are not classed as adaptations and may include promoting warm homes and energy efficiency measures.

The partners acknowledge that this type of work while not being an 'adaptation' to a home, can contribute towards the overall Better Care Fund outcomes of maintaining a vulnerable person's good health, independence and overall wellbeing.

2.3.3 Financial Assistance (Top up) Grant or Loan

In some cases the cost of works eligible for a Disabled Facilities Grant amounts to more than the maximum amount of grant (currently £30,000). In other cases the applicant is liable under the means test to make a contribution. The County Council and some district housing authorities have previously provided top-up grants or loans in certain circumstances in order to provide funds to enable the works to go ahead and therefore meet client's needs.

The partners agree that within a Joint Adaptations Policy provision will be made from the DFG Capital Allocation for Top-up Grants or loans, and that the County Council's Social Care responsibility towards meeting the needs of vulnerable households will be included, but with the decisions being made locally by the district councils. The detail of this element of the policy will be jointly agreed between the district partners and the County Council.

2.3.4 Disabled Persons Relocation Grants

All partners support the inclusion of a Disabled Persons Relocation Grant that can be considered when it is not straightforward or possible to adapt a disabled persons existing accommodation and a suitable alternative property can be identified.

This Grant would contribute towards the cost of moving and may include the payment of removal expenses, estate agent's fees, redecoration, etc.

2.3.5 Special Purpose Grants

In addition, the partners support the Better Care funds support of the use of the DFG Capital Allocation in the most flexible way and this Agreement supports the development of the policy and use of the funding for other initiatives for example:

- Home energy grants
- Boiler replacement
- Warm Homes initiatives including thermal insulation
- Remedying HHSRS Cat 1 hazards
- Security measures
- Additional specialist equipment
- Health Prevention initiatives
- Fuel Efficiency initiatives
- Housing Options advice and support
- Hospital discharge initiatives
- Handyperson services

Section 3 – Implementation and Review

3.1 Implementation

This Agreement will be implemented and come into effect when signed by the partners. All district housing authorities agree to review their local Regulatory Reform Order Repairs and Renewal policies adopting the principles contained within this Agreement with new policies to come into effect locally on 1st April 2017.

Partners also agree to work towards agreeing a Cambridgeshire Joint Adaptations Policy in partnership with the County Council by 1st April 2018.

3.2 Performance monitoring

At the time of writing the Better Care Fund has no specific performance measures around the DFG Capital Allocation, however it is envisaged that these will be forthcoming in future years. In the meantime, local performance targets will be developed especially in relation to time taken to deliver adaptations.

The provision of a Transitional Revenue Grant from the County Council in 2017/18 to the district councils in order to support the provision of home improvement agency services will include some performance targets which will be monitored by partners.

3.3 Review

This Agreement will be reviewed during 2018/19 following development of the Joint Adaptations Policy to ensure it is up to date and relevant in light of any future Better Care Fund Guidance and further local initiatives.

Add signatories of all partners below

Housing Renewal Assistance Policy Document

Housing Services
(Reviewed February 2017)

Huntingdonshire District Council

Introduction

1. The Government has approved an Order (the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002).
2. Article 3 of the Order gives local authorities the power to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in the local authority area.
3. Paragraph (3) of article 3 allows that assistance may be provided in any form.
4. The Order provides that the power may be exercised subject to certain qualifications detailed in article 3.
5. Paragraph (4) of article 3 gives local housing authorities the power to make assistance subject to certain conditions, including making repayment or a contribution.
6. Article 4 of the Order prevents local housing authorities from exercising their article 3 power unless they have adopted a policy for the provision of assistance under that article.
7. Article 11 of the Order makes amendments to the Housing Grants, Construction and Regeneration Act 1996 in accordance with Schedule 3 of the Order.

The purpose and scope of this document

In accordance with article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, this document sets out in full the policy that has been adopted by Huntingdonshire District Council, and includes details of –

- (a) how the Council intends to exercise its article 3 powers and ensure that the statutory qualifications to that power are observed;
- (b) the types of assistance the Council may make available;
- (c) the circumstances in which persons will be eligible for assistance;
- (d) how the amount of any assistance awarded will be calculated;
- (e) the conditions that will apply to the provision of assistance;
- (f) how and in what circumstances any assistance made may be repaid.

Appendix one to this document consists of specimen forms and notices used for the application and administration of assistance.

Appendix Two to the document reproduces the Order.

Definitions

Unless the context requires otherwise, in this document the expression in the first column shall have the meaning in the second column and any reference to a statute or a statutory instrument within the document shall include any amendments to it.

“he”	he or she
“the Order”	the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 made under the Regulatory Reform Act 2001 on 18 July 2002 as statutory instrument 2002 No. 1860.
“the Council”	Huntingdonshire District Council.
“the District”	Huntingdonshire District
“the 1996 Act”	the Housing Grants, Construction and Regeneration Act 1996
“the Policy”	the Council’s policy for the provision of assistance under article 3 and as required by article 4(a) of the Order
“living accommodation”	has the same meaning as in article 2 of the Order
“dwelling”	a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to it and usually enjoyed with it; or a qualifying houseboat or a qualifying park home
“qualifying houseboat”	has the same meaning as in section 58 of the 1996 Act as amended by the Order
“qualifying park home”	has the same meaning as in section 58 of the 1996 Act as amended by the Order
“disabled”	has the same meaning as in section 100 of the 1996 Act
“disabled occupant”	has the same meaning as in section 20 of the 1996 Act
“household”	the person or persons who occupy a dwelling as their only or main residence.
“free equity”	capital value not encumbered by any charge or restriction
“statutory tenancy”	a tenancy within the meaning of the Rent Act 1977 or the Rent (Agriculture) Act 1976.
“market rent”	the rent payable under a tenancy that is not a statutory

tenancy.

“family”	has the same meaning as section 113 of the Housing Act 1985.
“repair assistance”	has the meaning assigned to it in paragraphs 1.2 and 1.3 of the Policy
“disabled facilities assistance”	has the meaning assigned to it in paragraphs 1.2 and 1.4 of the Policy
“assistance”	repair assistance or disabled facilities assistance
“relevant disposal”	has the meaning assigned to it in paragraph 9.12 of Chapter 2 of the Policy
“exempt disposal”	has the meaning assigned to it in paragraph 9.13 of Chapter 2 of the Policy
“top up assistance”	has the meaning assigned to it in paragraph 1.3 of Chapter 3 of the Policy
“special purposes assistance”	has the meaning assigned to it in paragraph 1.4 of Chapter 3 of the Policy
“disabled persons’ relocation grant”	has the meaning assigned to it in paragraph 5.3 of Chapter 3 of the Policy
“Head of Housing Services”	the person who is the head of the Council’s housing service or some such person, being an employee of the Council, who the Head of Housing Services should nominate
“Head of Revenue Services”	the person who is the head of the Council’s revenue service or, in his absence, the Head of Financial Services
“Head of Legal and Estates”	the person who is the head of the Council’s legal and estates service or some such person, being an employee of the Council, who the Head of Legal and Estates should nominate
“tenant nomination and rent setting agreement”	in the case of a landlord application, the agreement under which the landlord grants the Council tenant nomination rights and the right to negotiate a maximum rent for the property.

Commencement and transitional arrangements

1. This policy shall have effect from 9 April 2003. Agreed amendments were made in the review of the policy and take effect as from 19th July 2007.
2. A valid application for assistance made under Chapters I, II or III of Part 1 of the 1996 Act and received by Huntingdonshire District Council before July 19 2003 shall be determined according to the provisions of that Act.
3. An otherwise valid application for assistance made under Chapters I, II or III of Part 1 of the 1996 Act (other than an application for a disabled facilities grant) received for approval after July 18 2003 will be determined under the provisions of the policy described in this document.
4. From 9 April 2003 a valid application for assistance made under a power derived under article 3 of the Order will be determined under the provisions of the policy described in this document.
5. An application for assistance made on a form prescribed under the 1996 Act (other than an application for a mandatory disabled facilities grant) will not be accepted as a valid application after 9 April 2004.

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Chapter 1.

**Assistance to improve living conditions in the District
- Repair Assistance and Disabled Facilities Assistance**

1. Introduction

- 1.1 For the purpose of improving living conditions in the District, including those of disabled people, and for the purpose of advancing the Council's wider objectives, the Council will make available assistance in the form of grants and loans.
- 1.2 Assistance will be known as "repair assistance" and "disabled facilities assistance".
- 1.3 Repair assistance may be made to any person to allow him to carry out either of the purposes specified in section 2.1 (b) and (c) of the Policy unless the main aim of the work for which assistance is sought is to benefit a disabled occupant.
- 1.4 Disabled facilities assistance may be made to any person to allow him to carry out any of the purposes specified in section 2.1 (a), (b) and (c) where the main aim of the work is to benefit a disabled occupant and to achieve any of the purposes mentioned in section 23 (1) of the 1996 Act or to otherwise make the dwelling suitable for the accommodation, welfare and employment of a disabled person.

2.0 General purposes for which assistance may be made

2.1 Assistance may be made to enable a person:

- (a) to acquire living accommodation within the District, subject to the limitations imposed by article 3 of paragraphs (2)(a) and (2)(b) of the Order;
- (b) to adapt or improve living accommodation within the District (whether by alteration, conversion or enlargement, by the installation of anything or injection of any substance, or otherwise);
- (c) to repair living accommodation within the District.

3.0 Applications for assistance

- 3.1 No assistance will be made unless an application is made to the Council in accordance with the provisions of the Policy and the application is approved by the Council.
- 3.2 if applicants owe money to Huntingdonshire District Council or any Registered Social Landlord they should demonstrate that they have an agreed arrears payment plan in place and that they are up to date with the payments
- 3.3 Under its power under article 6 (b) of the Order, the Council will require an applicant to provide such information or evidence (including information relating to his financial circumstances) as may reasonably be required for the purposes of determining an application for assistance. An application will not be valid unless it contains all such information or evidence.

3.4 Applications for assistance will be made on the Council's prescribed application form unless it is an the application for disabled facilities assistance, and –

(a) the purpose of the application is to supplement a grant made for the purposes mentioned in section 23 (1) of the 1996 Act, and

(b) the conditions for repayment of assistance detailed at section 4 of Chapter 3 of the Policy do not apply,

in which case an application for disabled facilities grant will be considered also to be an application for disabled facilities assistance.

3.5 An application is not a valid application unless all sections of the prescribed application form are completed or, where they do not apply, marked appropriately.

3.6 Where conditions attach to the award of assistance in any case, an application is not valid unless it is accompanied by an acknowledgement signed by the applicant that the Council has fulfilled its duty toward them under article 3 (5) of the Order.

3.7 Unless the Council directs otherwise in any particular case, an application for assistance is not valid unless it is accompanied by at least two estimates from different contractors of the cost of carrying out the works to which the application relates.

3.8 An application for assistance should include particulars of any preliminary or ancillary services in respect of which assistance is also sought.

3.9 An otherwise valid application that does not fall within the purposes for which grant is normally approved, as provided under the Policy, will be determined on its merits.

4.0 Preliminary conditions

4.1 An applicant must be aged 18 years or over on the date the application is made.

4.2 No assistance will normally be made if the person who would otherwise qualify as the applicant for assistance is a body mentioned in section 3(2) of the 1996 Act.

4.3 No assistance will normally be made where the application is for assistance in respect of premises provided (by construction or conversion) less than ten years before the date of the application, unless -

(a) the application is for disabled facilities assistance, or

(b) the application relates to a house in multiple occupation (HMO) (as defined under the Council's HMO registration scheme) provided by conversion.

4.4 No assistance will normally be made if under the Housing Act 1985 (defective dwellings) –

- (a) the dwelling, house or building is or forms part of a building of a class designated under sections 528 or 559,
 - (b) the applicant is eligible for assistance under Part XVI in respect of a defective dwelling which is or forms part of the dwelling, house or building concerned, and
 - (c) the works to which the application relates are, within the meaning of Part XVI, works required to reinstate that defective dwelling.
- 4.4.1 If the Council considers that the works to which the application relates include works for which assistance is available under Part XVI of the Housing Act 1985 (assistance for owners of defective housing), the Council will normally treat the application as if the relevant works did not include those works.

Chapter 2

Repair Assistance

1.0 Making a valid application

1.1 An application for repair assistance will not be considered a valid application unless the Council is satisfied that -

- (a) the applicant has an owner's interest in, or is in the process of acquiring an owner's interest in, (alone or jointly with others) every parcel of land to which the application relates; or
- (b) the applicant is a qualifying tenant (including a joint tenant) of the dwelling to which the application relates; or
- (c) the applicant is an occupier (alone or jointly with others) of a qualifying houseboat or a qualifying park home.

1.2 For the purposes of paragraph 1.1 (a) -

- (a) "owner" has the meaning specified by article 5 (2) of the Order; and
- (b) "owner's interest" has the meaning specified in section 101 of the 1996 Act.

1.2.1 An application made under paragraph 1.1 (a) is called an "owner's application".

1.3 For the purposes of paragraph 1.1 (b) a "qualifying tenant" means a tenant -

- (a) who is required by the terms of his tenancy to carry out the works to which the application relates; and
- (b) whose rent has reduced from what it would otherwise have been to compensate him for his repairing obligation.

The Council will make such enquiries or seek such advice as is necessary and, in particular, seek the advice of the Cambridgeshire Rent Service, to satisfy itself that condition 1.3 (b) is met.

1.3.1 Where condition 1.3 (b) is not met or not proven to the satisfaction of the Council, the owner may choose to make a landlord's application.

1.3.2 For the purposes of this paragraph a person with a right to exclusive occupation for life or more than five years may be counted as a tenant.

1.3.3 An application made under paragraph 1.1 (b) is called a "tenant's application".

1.4 For the purposes of paragraph 1.1 (c) "occupier" means the person legally in occupation of the qualifying houseboat or qualifying park home.

1.4.1 An application made under paragraph 1.1 (c) is called an "occupier's application".

1.5 An owner's application for repair assistance will not be considered a valid application unless it is accompanied by an owner-occupation certificate or a tenant nomination and rent setting agreement in respect of the dwelling to which the application relates or, in the case of an application to convert a

dwelling to form two or more properties, in respect of each of the dwellings provided.

- 1.5.1 An owner's application accompanied by a tenant nomination and rent setting agreement is called a "landlord's application".
- 1.6 A tenant's application for repair assistance will not be considered valid unless it is accompanied by a tenant's certificate and a statement of consent to the works signed by the person who at the time of the application is the landlord under the tenancy.
- 1.7 Except where the Council consider it to be unreasonable in the circumstances, an occupier's application will not be considered a valid application unless it is accompanied by an occupier's (repair assistance) certificate.

2.0 Determining a valid application for repair assistance – eligibility conditions

Prior residency qualification

- 2.1 Subject to paragraph 2.2, the Council will not normally approve an application for repair assistance accompanied by an owner-occupation certificate, a tenant's certificate or an occupier's certificate unless –
 - (a) the applicant (or, in the case of a joint application, one of the applicants) has had an owner's or a tenant's or an occupier's interest in the property for at least three years before the application is made; and
 - (b) has lived in the property as his only or principal residence for at least three years before the application is made
- 2.2 Any of the following will count toward meeting the requirements of paragraph 2.1:
 - 2.2.1 Where the applicant took his owner's interest or became a tenant or the occupier on the death of a member of his family and the applicant was living in the dwelling as his only or main residence immediately before the death of the deceased –
 - (a) any period when the deceased both held an owner's interest in or was a qualifying tenant or an occupier of the dwelling and lived in the dwelling as his only or main residence,
 - (b) if immediately before his death the deceased both held such an interest or was such a tenant or such an occupier and lived in the dwelling as his only or main residence, any period not exceeding one year when his personal representatives, or the Public Trustee under section 9 of the Administration of Estates Act 1925, held such an interest or was such a tenant,
 - (c) any period during which the deceased was absent from the dwelling because he was being cared for.

2.2.2 Where the applicant took his owner's interest or became a tenant or the occupier by virtue of a disposal made by a member of the family and –

- (i) the applicant was living in the dwelling as his only or main residence immediately before the disposal; and
- (ii) the disposal was made with the intention of allowing the person making the disposal to be cared for –

Any period ending on the date of the disposal when the person making the disposal held an owner's interest or was a qualifying tenant of the dwelling.

2.2.3 Where the applicant took his owner's interest or became a tenant or the occupier by virtue of a disposal made by the spouse of the applicant and the Council is satisfied that that the disposal was made as a result of arrangements in relation to divorce, judicial separation or the declaration of nullity of marriage, any period ending on the date of disposal when the spouse held an owner's interest or was a tenant.

2.2.4 Any period where the applicant was absent from the dwelling because he was being cared for.

2.3 The Council may dispense with the requirements of paragraph 2.1 if the work to which the application relates is –

- (a) to comply with a notice under sections 189 or 190 of the Housing Act 1985
- (b) to provide means of escape in case of fire or other fire precautions;
- (c) to provide two or more dwellings by conversion;
- (d) to a dwelling in council tax bands A, B or C where the dwelling is (or in the case of an intending buyer, will be) the first property the applicant has owned and the applicant lives (or intends to live) in the property as his only or main residence.

For the purposes of paragraph 2.3 (d), the Council may consider an applicant to be a first time owner if he has previously owned living accommodation with a partner and that living accommodation has been sold following divorce, judicial separation or the declaration of nullity of marriage and the sum received by the applicant from the sale is, in the opinion of the Council, not sufficient to purchase a suitable fit property within the District.

Purposes for which assistance may be approved

2.4 The Council will not approve an application for repair assistance unless it is satisfied that the works are necessary for one or more of the following purposes:

- (a) to comply with any notice or order served in accordance with the Housing Health Safety Rating System (HHSRS) (part 1 of the Housing Act 2004).
- (b) to provide adequate thermal insulation;
- (c) to provide adequate and energy efficient facilities for space heating;
- (d) to provide satisfactory internal arrangements;

(e) to repair or replace a worn or broken essential service or to render the dwelling wind or water tight;

(f) to make a property secure;

(g) to take early measures to prevent the deterioration of a property;

(h) in the case of an empty property, to bring that property into a good, lettable condition.

2.4.1 Whether the work for which assistance is sought meets one or more of these purposes will be determined by a technical officer's survey.

2.4.2 Following the technical officer's survey the Council may, with the agreement of the applicant, vary the works to which the application relates to include or exclude certain works.

Factors to be taken into account when considering competing claims

2.5 When deciding whether to approve or refuse an application for repair assistance the Council shall have regard to –

(a) whether the work to which the application relates is considered serious and urgent both in its own right and relative to any other applications and enquiries for repair assistance then before the Council for consideration;

(b) whether the work to which the application relates is considered serious or urgent relative to the general state of repair of dwellings in the District;

(c) the extent to which the work will benefit a household containing a person or persons in a priority category;

(d) the extent to which the work to which the application relates will provide or preserve accommodation for which there is local need;

(e) the extent to which the applicant can himself afford to pay for the work;

(f) the extent to which the applicant's own resources may potentially be used to resolve the repair problem or resolve any adverse consequences of the repair problem.

For the purposes of this paragraph, "serious" means the failure or prospective failure of an essential element or service of a dwelling.

For the purposes of this paragraph "urgent" means the repair is needed in the short term having regard to both the dwelling and the needs of the household.

2.5.1 When considering the matters referred to in paragraphs 2.5 (a) and 2.5 (b) regard will principally be had to the technical officer's survey and to any scoring system the Council may use or introduce.

2.5.2 For the purposes of 2.5 (c), "a person or persons in a priority category" means:

- (a) persons who are over the age of 60 or are infirm or disabled;
- (b) persons who are children, especially children under five years old;
- (c) persons in housing need;
- (d) persons who are first time owners of a dwelling where the dwelling is in council tax bands A, B or C and is, or is intended to be used as, their only or main residence.

2.5.3 For the purposes of 2.5 (d), “accommodation for which there is local need” will be determined with regard to the Council’s housing needs register, the Council’s housing needs survey and any other appropriate source of intelligence.

2.5.4 For the purposes of 2.5 (e), “the extent to which the applicant can himself pay for the work” will be determined with regard to sections 4 and 5 of Chapter 2 of the Policy.

2.5.5 For the purposes of 2.5 (f), the “applicant’s own resources” will include any free equity in the dwelling against which a loan from a private lender may be secured or which may be used to buy a fit property suitable for the needs of the applicant and his household.

2.6 Except where paragraph 2.7 applies, the Council will notify in writing an applicant who has submitted, in the Council’s opinion, a valid application for repair assistance whether that application is approved or refused.

2.6.1 Notification will be made according to the provisions of Section 6 of Chapter 2 of the Policy.

2.7 Where any application for repair assistance is not refused, the Council will only approve the application where sufficient funds exist in the budget approved for that purpose.

2.7.1 Where an application is not approved under this paragraph, the Council will so notify the applicant in writing that this is the case at the same time notify the applicant that the application will be –

(a) approved on a stated date not more than six months forward from the date of notification; or

(b) with the agreement of the applicant, reconsidered as soon as practicable after funds become available and in any case not less than six months forward from the date of notification.

2.7.2 If the application is reconsidered under 2.7.1 (b), in so far as it remains a valid application it may only be reconsidered with regard to the matters mentioned at paragraph 2.5.

Work started or finished before assistance is approved

2.8 Subject as follows, the Council will not approve an application for repair assistance if the works to which the application relates have been started before the application is approved.

- 2.8.1 Where the works to which the application relates have been started but not finished, the Council may approve the application if it was satisfied that there were good reasons for starting the works before assistance was approved.
- 2.8.2 Where the Council decides to approve an application in accordance with subparagraph 2.8.1, it may, with the consent of the applicant, treat the application as varied so as to exclude the works that are completed.
- 2.9 Unless an application for repair assistance is in respect to work to –
- (a) to comply with notices under the Housing Health and Safety Rating System (HHSRS) Housing Act 2004, or
 - (b) to enable a dwelling to meet one or more of the requirements of section 352 (1A) of the Housing Act 1985

The Council will not approve an application for repair assistance if the works to which the application relates have been completed before the application is approved.

Amount of assistance approved

- 2.10 Where the Council approves an application for repair assistance accompanied by an owner-occupation certificate, a tenant's certificate or an occupier's certificate, the amount and type of assistance approved will be calculated according to the provisions of sections 4, 6 and 7 of Chapter 2 of the Policy.
- 2.11 Where the Council approves a landlord's application for repair assistance, the amount and type of assistance approved will be calculated according to the provisions of section 5, 6 and 7 of Chapter 2 of the Policy.
- 2.12 Any award of repair assistance over £20,000 will be required to be endorsed by the Head of Housing Services.

3.0 Landlord's grants – special eligibility conditions

- 3.1 The Council may approve a landlord's application for repair assistance and may do so having regard to any of the factors mentioned in paragraph 2.5 but will in particular have regard to factors 2.5 (c) and 2.5 (d).
- 3.2 The Council may approve an application for repair assistance for a tenanted property in the following circumstances –
- (a) where accommodation is let on a statutory tenancy; or
 - (b) where accommodation is let at a market rent and subject to a repair notice under sections 189 and 190 of the Housing Act 1985.
- 3.2.1 Where 3.2 (a) applies, assistance will not normally be approved if the dwelling to which the application relates forms part of a larger holding such as a property portfolio or an agricultural estate and there is the potential to cross-subsidise.
- 3.2.2 Where 3.2 (b) applies, in deciding whether to approve assistance the Council shall have regard, above all, to the matter mentioned at subparagraph 2.5 (d)

3.3 Approval under paragraph 3.2 may be made on the condition that the owner enter into an agreement with the Council under which –

- (a) in the event of a vacancy the Council may nominate a tenant to the property, and
- (b) where a market rent is passing or is proposed to be charged, the Council will agree the maximum amount of rent the owner charges or proposes to charge under the tenancy.

3.3.1 Where the owner does enter into an agreement with the Council that agreement will be for a minimum of five years and will be subject to the conditions described in paragraph 9.9 of Chapter 2 of the Policy.

3.4 The Council may approve an application for repair assistance to a property that is empty at that time.

3.5 Approval under paragraph 3.4 shall be made on the condition that the owner shall enter into an agreement with the Council under which –

- (a) the Council may nominate a tenant to the property;
- (b) the Council shall agree the maximum amount of rent the owner will charge under the tenancy.

3.5.1 Where the owner does enter into an agreement with the Council that agreement will be for a minimum of five years and will be subject to the conditions described in paragraph 9.9 of Chapter 2 of the Policy.

4.0 The means test – owner-occupier's, tenant's and occupier's applications

4.1 This section applies to an application for repair assistance which is –

- (a) an owner's application accompanied by an owner-occupation certificate; or
- (b) a tenant's application; or
- (c) an occupier's application.

4.2 Subject to paragraph 4.4, if, in the case of an application made under this section, the financial resources of the relevant party or parties exceed the applicable amount, the amount of any assistance which may be paid shall be reduced from what it otherwise would have been.

4.3 With regard to paragraph 4.2 "relevant party or parties" means -

4.4 In the case of an owner's application:

- (a) the applicant; and
- (b) the applicant's partner (if any); and

(c) any other person with an owner's interest in the dwelling to which the application relates.

4.5 In the case of a tenant's application, the applicant and his partner (if any) or, in the case of a joint tenancy, each tenant and his partner (if any).

4.6 In the case of an occupier's application:

(a) the applicant; and

(b) the applicant's partner (if any); and

(c) any other person who is entitled to dispose of the houseboat or park home.

4.7 With regard to paragraph 4.2 the extent to which "the amount of any assistance which may be paid shall be reduced" shall be calculated according to the provisions of the Housing Renewal Grants Regulation 1996, as amended, but using actual housing costs (where appropriate) rather than the housing allowance (subparagraphs 4.4.1 and 4.4.2) and ignoring as income any payment of child tax credit (subparagraph 4.4.3).

4.8 When, in any case, the actual housing costs of the applicant or applicants exceed the housing allowance then in force under the Housing Renewal Grants Regulation 1996, the housing allowance will be calculated according to the actual housing costs.

4.9 With regard to 4.4.1, "actual housing costs" will be determined according to, in the case of a repayment mortgage, the weekly amount the applicant is repaying on the principal plus any interest charges and net of any insurances and other costs and, in the case of an interest-only mortgage, the weekly cost of the interest on the principal plus the weekly cost of any endowment policy expressly entered into for the purposes of repaying the principal.

4.10 Where child tax credit forms a part of household income the amount due to that credit is to be ignored.

4.11 With regard to paragraph 4.2, the "amount of any assistance which may be paid" refers to the full cost of the works calculated according to paragraph 7.4 of Chapter 2 of the Policy.

4.12 Paragraph 4.2. will not apply if at the time the application is made either the applicant or the applicant's partner (if any) is in receipt of one or more of the following;

- (a) income support;
- (b) income-based job-seeker's allowance;
- (c) housing benefit;
- (d) guarantee credit of pensions credit;
- (e) working tax credit where gross taxable income is less than £15,050
- (f) income related Employment Support Allowance
- (g) universal credit

- 4.13 No other person has an owner's or a tenant's or an occupier's interest in the dwelling; or
- 4.14 Each and every other person with an owner's or a tenant's or an occupier's interest in the dwelling is, at the time the application is made, in receipt of one of the benefits or credits mentioned in this paragraph.
- 4.15 Here the condition as to the receipt benefits or credits under subparagraph 4.6.2 is not met by any person having an owner's, tenant's or occupier's interest in the property the provisions of paragraph 4.2 will apply to that person.

5.0 The means test – landlord applications

- 5.1 Subject to paragraph 5.3, where the Council approve an application for repair assistance made under section 3 of Chapter 2 of the Policy (landlord applications), the amount of any assistance which may be paid shall be reduced from what it otherwise would have been by consideration of the higher rent the landlord may charge due to the works to which the application relates.
- 5.2 With regard to paragraph 5.1, the amount by which any grant awarded will be reduced (R) will be calculated according to the formula:

$$R = (a - b) \times 0.7 \times 50 \times 5$$

Where -

- "a" is the notional rental figure after the works.
- "b" is the notional rental figure before the works.
- (a – b) is the notional weekly rise in rental income due to the eligible works
- 0.7 is the proportion of the rise in rental income to be counted as available capital
- 50 is the notional number of weeks each year that rent is received
- 5 is the minimum number of years of an agreement entered into under subparagraph 3.3.1 or paragraph 3.6 of this Chapter.

The amount of repair assistance awarded (A) (if any) will be calculated according to the formula:

$$A = C - R$$

Where C is the full cost of the approved works calculated according to paragraph 7.4 of Chapter 2 of the Policy.

- 5.2.1 In deciding the notional rent before and after the works are carried out the Council will seek the advice of the Cambridgeshire Rent Service.
- 5.3 Where the product of the calculation described in paragraph 5.2 is a figure that, in the opinion of the Council, does not provide good value for money, the Council may offer a lesser amount of assistance.
- 5.3.1 Under this paragraph "value for money" shall be determined with particular regard to the matters referred to in subparagraphs 2.5 (c) and 2.5 (d).

6.0 Determination of whether to award a loan or a grant

6.1 Where the Council has decided to approve an application for repair assistance, whether that assistance is made as a grant or a loan or some combination thereof will be determined according to the provisions of this section.

6.2 In the case of an owner's application accompanied by an owner's certificate and an occupier's application assistance will be made in the form of a loan.

6.2.1 The Council may decide not to take into account any charge secured on the property where any equity thereby released was used to finance goods or services not relating to the repair or maintenance of that property and it appears to the Council either that–

- (a) the equity released would more appropriately have been spent on the repair and maintenance of the property, or
- (b) the charge was placed on the property with the intention of affecting the outcome of the calculation of whether assistance is made as a grant or a loan.

6.3 In the case of a tenant's application the amount of assistance made will be in the form of a grant.

6.4 In the case of a landlord's application, the amount of assistance will be made in the form of a grant.

7.0 Determination and notification of amount and type of assistance

7.1 Where the Council has decided either to approve or refuse an application for repair assistance, it will notify the applicant of the outcome no later than one calendar month after the date of valid application.

7.2 If the application is refused, the Council will notify the applicant of the reasons for the refusal and inform the applicant of the Council's review procedure.

7.3 If the application is approved the notice will –

- (a) specify the works for which assistance is approved (the "approved works");
- (b) specify the full cost of the works for which assistance is approved;
- (c) specify the applicant's contribution (if any);
- (d) specify the amount of assistance that is approved (the "approved amount");
- (e) specify, as appropriate, the amount of assistance that is to be made as a loan and the amount of assistance that is to be made as a grant;
- (f) provide a statement of the conditions to which assistance is subject;
- (g) make a formal offer of assistance.

7.4 For the purposes of subparagraph 7.3 (b), “the full cost of the works” is -

(a) the cost of the building works; plus

(b) the cost of any approved preliminary or ancillary services and charges.

7.4.1 With regard to 7.4 (a), unless the Council decides otherwise, “the cost of the building works” will be the cost of the lower (or if more than two, the lowest) of the quotes that accompanied the application, whether or not that contractor is the contractor that carries out the work.

7.4.2 With regard to 7.4 (b), “approved preliminary or ancillary services and charges” , means any charges agreed by the Council to be necessary for the preparation and execution of the approved works and may include –

(a) fees necessary to establish ownership of the dwelling;

(b) architect’s fees;

(c) quantity surveyor’s fees;

(d) Cambs Home Improvement Agency fees;

(e) property valuation fees;

(f) any other fees the Council may decide in any particular case.

7.5 With regard to 7.3 (c) –

7.5.1 In the case of an application accompanied by an owner-occupation certificate or a tenant’s certificate or an occupier’s certificate, the applicant’s contribution will be the amount determined according to the provisions of section 4 of Chapter 2 of the Policy.

7.5.2 With regard to a landlord’s application, the applicant’s contribution will be determined according to the provisions of section 5 of Chapter 2 of the Policy.

7.6 If, after an application for repair assistance has been approved the Council is satisfied that owing to circumstances beyond the control of the applicant the work cannot be completed for the approved amount, the Council may re-determine the approved amount.

7.7 If, for any reason, the approved works under subparagraph 7.3 (a) are required to be varied, such variation will only be made according to the provisions of article 5 (6) of the Order.

8.0 Payment of repair assistance and conditions for repayment

8.1 No payment of repair assistance will be made unless the applicant has returned to the Council a copy of the terms and conditions under which the award will be made signed by all persons with an owner's interest in the dwelling stating that the said terms and conditions are understood and accepted.

8.2 The Council may pay repair assistance –

(a) in whole after the work has been completed; or

(b) in part by instalments

8.2.1 Where repair assistance is paid in instalments, the aggregate of instalments paid before the works are completed shall not exceed 90% of the approved amount.

8.3 It is a condition of payment of repair assistance that the approved works are carried out within 12 months from the date of approval unless the Council agree otherwise in any particular case.

8.4 The payment of repair assistance is conditional on –

(a) the approved works being carried out to the satisfaction of the Council, and

(b) the Council being provided with an acceptable invoice or receipt for payment for the building works and for any other approved services and charges, and

(c) the work being carried out by a contractor whose quote accompanied the application unless the Council agree otherwise by prior notification in any particular case.

8.5 Where the Council agrees to the work being carried out by a member of the family of the applicant, payment will be made only for the cost of materials.

8.6 The Council will pay repair assistance –

(a) directly to the contractor, or

(b) to the applicant as a cheque made payable to the contractor.

8.7 Where the approved work has not been carried out to the satisfaction of the applicant the Council may, at the request of the applicant and if it considers it to be reasonable, withhold payment.

8.8 Where an award of repair assistance has been approved but before the date on which the works are certified as having been completed to the satisfaction of the Council (the “certified date”) –

(a) if it subsequently appears to the Council that the applicant was not, at the time of approval, entitled to the award, or

(b) if the applicant has ceased to be a person entitled to the award,

then no award will be payable or, as the case may be, no further payment will be made.

In the case of a joint application, the provisions of this paragraph do not apply unless all the applicants who were so entitled to the award cease to be entitled.

8.8.1 Where this paragraph applies, the Council may demand that any payment of repair assistance which has been made is repaid, together interest on that amount from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.

8.8.2 For the purposes of this paragraph, an applicant is a person not entitled to repair assistance if, at the time of the application or any time before the certified date, he –

(a) did not have the required owner's, qualifying tenant's or occupier's interest in the property, or

(b) did not have the intention specified in the owner's, qualifying tenant's or occupier's certificates that accompanied the application, or

(c) in the case of a landlord's application, has failed to enter into an agreement under paragraphs 3.3 or 3.5 of Chapter 2 of the Policy or has given the Council good cause to think he will not enter into such an agreement.

8.9 Where an award of repair assistance has been approved but –

(a) the amount of the award was determined on the basis of inaccurate or incomplete information with regard to sections 4 or 5 of Chapter 2 the Policy, or

(b) the approved works were started before the award was approved without the consent of the Council, or

(c) the eligible works were not completed to the satisfaction of the Council within the period specified in paragraph 8.3 or any extended period agreed under the provision of that paragraph, or

(d) the work was not carried out by a contractor whose quote accompanied the application, or the Council was not made aware that the contractor that carried out the works is a member of the applicant's family,

then the Council may –

(i) refuse to pay repair assistance or, as the case may be, any further instalment of repair assistance, or

(ii) re-determine the amount of repair assistance

and may in both cases demand that any payment of repair assistance which has been made is repaid, together with interest from the date on which it was paid until the date of repayment, at such reasonable rates as the Council may determine.

9.0 Repair Assistance conditions

9.1 This section will apply when an owner's or an occupier's application for repair assistance has been approved by the Council and an offer made to the applicant which the applicant has accepted.

9.1.1 Under this section –

“property” means the property to which the application relates

“award” means repair assistance loan or repair assistance grant;

“loan” means repair assistance loan;

“grant” means repair assistance grant;

“grant condition period” means a period of five years from the certified date or, in the case of a landlord's application for such period as may be agreed to in the tenant nomination and rent setting agreement;

“award notice” means the notice sent to the grant applicant notifying him that the award has been allocated to him and may now be drawn upon.

“effective date” means the date on which the award notice is issued by the Council;

“certified date” means the date on which the approved works are certified as completed to the satisfaction of the Council;

9.2 It is a condition of an award that the applicant shall enter into a legal agreement with the Council to secure such award either by way of legal charge on the property or in such other manner as the Council's Head of Legal and Estates shall require.

9.3 It is a condition of an award that if the owner of the property makes a relevant disposal (other than an exempt disposal) –

(a) of the whole or part of the property,

(b) after the effective date, and

(c) before the certified date,

He shall repay to the Council on demand the amount of award, if any, that has been paid.

9.4 It is a condition of a loan that if the owner of the property or, in the case of a loan made to convert a premises to provide two or more dwellings, any dwelling provided by the approved works, makes a relevant disposal (other than an exempt disposal) –

(a) of the whole or part of the dwelling,

(b) on or after the certified date,

He shall repay to the Council on demand the amount of the loan that has been paid.

9.5 It is condition of a grant that if the owner of the property or, in the case of a grant made to convert a dwelling to provide two or more dwellings, any dwelling provided by the approved works, makes a relevant disposal (other than an exempt disposal) –

- (a) of the whole or part of the dwelling,
- (b) on or after the certified date,
- (c) before the end of the grant condition period

He shall repay to the Council on demand the amount of the grant that has been paid.

In the case a landlord's grant, the provisions of this paragraph will not apply in a case where the successor in title is prepared to continue the arrangements entered into under the tenancy nomination and rent setting agreement.

9.5.1 A condition under this paragraph may be registered as a local land charge binding on any person who is for the time being an owner of the dwelling.

9.6 Where the Council has the right to demand repayment under paragraphs 9.3, 9.4 or 9.5, it may determine not to demand payment or to demand a lesser amount if:

- (a) the owner, or any member of the owner's family who lives in the dwelling as their only or main residence, is aged 60 or over, or is infirm, and
- (b) the disposal is being made for the purpose of enabling that person who is aged 60 or over, or is infirm to be cared for, and
- (c) The Council is satisfied that such arrangements for the care of that person who is aged 60 or over, or is infirm will not otherwise be possible.

9.7 Where the Council has the right to demand repayment under paragraphs 9.3, 9.4 or 9.5, it may determine not to demand payment or to demand a lesser amount if

- (a) the sale is made to enable the owner or his partner to take up employment and the Council is satisfied that the offer would otherwise not be able to be accepted, or
- (b) the sale is by a mortgagee and the mortgage was entered into before the award was made, or
- (c) The Council is satisfied that the human rights of the owner will otherwise be infringed.

9.8 Where an application for an award was accompanied by –

- (a) an owner-occupier's certificate, or
- (b) an occupier's certificate, and

The award or any part thereof was approved as a loan; it is a condition of the loan that the dwelling is occupied in accordance with the intention stated in the certificate.

- 9.8.1 It is also a condition of the loan that if at any time when that condition is in force the Council serve notice on the owner or the occupier of the dwelling requiring him to do so, he will within 21 days beginning with the date on which the notice was served provide the Council with a statement showing how that condition is being fulfilled.
- 9.8.2 A condition under this paragraph may be registered as a local land charge binding on any person who is for the time being an owner of the dwelling.
- 9.8.3 In the event of a breach of a condition under this paragraph, the owner or the occupier for the time being of the dwelling shall on demand repay to the Council the amount of the loan together with compound interest on that amount as from the certified date or, if it seems to the Council to be more appropriate, from the date on which the breach may reasonably be assumed to have first taken place, calculated at such reasonable rates as the Council may determine and with yearly rests.
- 9.8.4 The Council may determine not to make a demand under subparagraph 9.8.3 or demand a lesser amount in any particular case if it is satisfied that there is good reason why the condition has not been met.

9.9 Where an application for an award was accompanied by –

- (a) an owner-occupation certificate, or
- (b) an occupier's certificate, or
- (c) a certificate of intended letting, or
- (d) an agreement under sections 3.3 or 3.5 of Chapter 2 of the Policy, and

The award or any part thereof was approved as a grant; it is a condition of the grant that throughout the grant condition period the dwelling is occupied in accordance with the intention stated in the certificate or, in the case of 9.9 (d), the agreement.

- 9.9.1 It is also a condition of the grant that if at any time when that condition is in force the Council serve notice on the owner or the occupier of the dwelling requiring him to do so, he will within 21 days beginning with the date on which the notice was served furnish to the Council a statement showing how that condition is being fulfilled.
- 9.9.2 A condition under this paragraph may be registered as a local land charge binding on any person who is for the time being an owner of the dwelling.
- 9.9.3 In the event of a breach of a condition under this paragraph, the owner or the occupier for the time being of the dwelling shall on demand repay to the Council the amount of the grant together with compound interest on that amount as from the certified date, calculated at such reasonable rates as the Council may determine and with yearly rests.

9.9.4 The Council may determine not to make a demand under subparagraph 9.9.3 or demand a lesser amount in any particular case if it is satisfied that there is good reason why the condition has not been met.

9.10 Where, under paragraphs 9.6, 9.7, 9.8, or 9.9 an owner makes an application that the amount of the award should not be repaid or, as the case may be, some lesser amount than the approved amount should be repaid, that application shall be made in writing to the Council's Head of Housing Services who may –

- (a) refuse such an application, or
- (b) Recommend that the Council's Head of Revenue Services approve such an application.

9.10.1 Where subparagraph 9.10 (a) applies, the Head of Housing Services will –

- (a) give the owner his reasons in writing why the application has been refused, and
- (b) inform the owner of his rights under the Council's complaint procedure and the local authority Ombudsman procedure, and
- (c) He will do so within 30 days of having made such enquiries and requested such evidence as he thinks is necessary to determine the application.

9.10.2 Where subparagraph 9.10 (b) applies –

- (a) the Head of Housing Services will make his recommendation to the Head of Revenue Services within 14 days of having made such enquiries and requested such evidence as he thinks is necessary to make his recommendation, and
- (b) the Head of Revenue Services will inform the Head of Housing Services in writing of his decision within 14 days of having made such enquiries and requested such evidence as he thinks is necessary to make his recommendation, and
- (c) The Head of Housing Services will, no later than seven days after receiving such a written response, then give the owner the reasons in writing why the application has been refused or approved and, if it is refused, inform the owner of his rights under the Council's complaint procedure and the local authority Ombudsman procedure.

9.11 Where the Council approves an application for an award, it may impose on the applicant or any person who is for the time being the owner of the property any reasonable condition so long as –

- (a) any such condition is approved by the Head of Housing Services and the Portfolio Holder for Housing, and
- (b) any such condition is made according to the provisions of article 3 (4) of the Order, and
- (c) The applicant has given his signed consent to such a condition.

9.12 Here any such condition imposed under this paragraph 9.11 may be registered as a local land charge and in the event of a breach the Council may require the amount of the award to be repaid, together with compound interest on that

amount as from the date of payment, calculated at such reasonable rate as the Council may determine and with yearly rests.

Meaning of relevant disposal

9.13 For the purposes of this Policy, a disposal is a relevant disposal if it is –

- (a) a conveyance of the freehold or an assignment of the lease, or
- (b) the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent, or
- (c) In the case of a mobile home or a houseboat, the sale, pledge or assignment of the mobile home or houseboat.

9.13.1 For the purpose of subparagraph 9.13 (b), it shall be assumed –

- (a) that the option to renew or extend a lease or sub-lease, whether or not forming a part of a series of options, is exercised, and
- (b) That any option to terminate a lease or sub-lease is not exercised.

9.13.2 The grant of an option calling for a person to make a relevant disposal shall be treated as such a disposal made to him.

Meaning of exempt disposal

9.14 For the purposes of this Policy, a disposal is an exempt disposal if it is the disposal of the whole or part of the dwelling to which the award relates of any of the following descriptions –

- (a) a conveyance of the freehold or an assignment of the lease where the person, or each of the persons, to whom it is made is a qualifying person (as defined in subparagraph 9.14.2);
- (b) a vesting in a person taking under a will or on a intestacy provided the person intends to continue to live in the property as their principle home (July 2007);
- (c) a disposal in pursuance of any such order as is mentioned in subparagraph 9.14.3;
- (d) a compulsory disposal (see subparagraph 9.14.4);
- (e) a disposal of property consisting of land included in the dwelling by virtue of section 184 of the Housing Act 1985 (land let with or used for the purposes of the dwelling house);
- (f) a disposal under which the interest of a person entitled to assistance by way of repurchase under Part XVI of that Act (assistance for owners of defective housing) is acquired in accordance with section 20 of that Act;
- (g) a disposal by way of enfranchisement or lease extension under part 1 of the Leasehold Reform Act 1967;

- (h) a disposal in pursuance of an obligation arising under Chapter I or II of Part 1 of the Leasehold Reform, Housing and Urban Development Act 1993;
- (i) a disposal on the exercise of a right of first refusal under Part 1 of the Landlord and Tenant Act 1987 or in accordance with an acquisition order under Part III of that Act;
- (j) a disposal on the exercise of –
 - (i) The right to buy under Part V of the Housing Act 1985, or
 - (ii) The right conferred by section 16 of the Housing Act 1996 (right of tenant of registered social landlord to acquire dwelling);
- (k) a conveyance of the freehold or an assignment of the lease where –
 - (i) the person making the disposal is aged at least 70,
 - (ii) The disposal is to provide an annuity income, and
 - (iii) The person concerned is entitled to continue to occupy the premises as his only or main residence.

9.14.1 A person is a qualifying person for the purposes of paragraph 9.14 (a) if –

- (a) in the case of an individual, he is –
 - (i) the person, or one of the persons, by whom the disposal is made;
 - (ii) The spouse, or former spouse, of that person or one of those persons; or
 - (iii) A member of the family of that person or one of those persons; or
- (b) In the case of a company, it is associated company of the company by whom the disposal is made.

For the purposes of paragraph (b), section 416 of the Income and Corporation Taxes Act 1988 (meaning of associated company applies in determining whether a company is an associated company of another).

9.14.2 The orders referred to in subparagraph 9.14 (c) are orders under –

- (a) section 24 or 24A of the Matrimonial Causes Act 1973 (property adjustment orders or orders for the sale of property in connection with matrimonial proceedings);
- (b) section 2 of the Inheritance (Provision for Family and Dependants Act 1975 (orders as to financial provision to be made from estate);
- (c) section 17 of the Matrimonial and Family Proceedings Act 1984 (property adjustment orders or orders for the sale of property after overseas divorce, etc); or
- (d) Paragraph 1 of Schedule 1 to the Children Act 1989 (orders for financial relief against parents).

9.14.3 For the purposes of paragraph 9.14 (d) a compulsory disposal is a disposal of property which is acquired compulsorily, or is acquired by a person who has made or would have made, or for whom another person has made or would have made, a compulsory purchase order authorising its compulsory purchase for the purposes for which it is acquired.

9.14.4 The grant of an option enabling a person to call for an exempt disposal shall be treated as such a disposal made to him.

Cessation of repayment conditions

9.15 If at any time while a condition of an award remains in force with respect to a dwelling –

- (a) the owner of the dwelling to which the condition relates pays the amount of the grant to the local housing authority by whom the grant was made,
- (b) a mortgagee of the interest of the owner in that dwelling being a mortgagee entitled to exercise a power of sale, makes such a payment,
- (c) the local housing authority determine not to demand repayment on the breach of a grant condition, or
- (d) the authority demand repayment in whole or in part on the breach of a grant condition and that demand is satisfied,

That grant condition and any other grant conditions shall cease to be in force with respect to that dwelling.

9.16 An amount paid by a mortgagee under subsection (9.15) (b) above shall be treated as part of the sums secured by the mortgage and may be discharged accordingly.

9.17 The purposes authorised for the application of capital money by-

- (a) section 73 of the Settled Land Act 1925,
- (b) that section as applied by section 28 of the Law of Property Act 1925 in relation to trusts for sale, and
- (c) section 26 of the Universities and College Estates Act 1925,

include the making of payments under this section.

10.0 Boiler replacement scheme

10.1 When older and vulnerable people on low incomes experience a failure in their heating systems, this should be rectified in a planned way and can be funded by Eco under the Green Deal. However, if identified in an emergency situation, it is important that the heating system is reinstated quickly. This is especially important during the winter months given the detrimental impact on older and vulnerable people's health associated with cold homes. While there is also the capacity within the policy/budget (via Repairs Assistance) to undertake planned boiler replacement and repairs, there is currently no provision for emergency works. Extending the provision of this policy/budget to include replacement boilers for low cost emergency works would ensure that the Council is making provision for vulnerable households who experience complete heating failure. Repairs below £500 however, can be carried out through a fund held by Environmental Health with direct referrals made by the to the scheme in emergency cases.

10.2 Boiler replacements will be available at costs up to a maximum of £3,000.

10.3 Eligibility: – Owner occupiers are subject to the following conditions:

- Conditions:– Boiler has stopped working, is not repairable been officially confirmed as obsolete or condemned by a Gas Safe registered contractor.
- Applicant has passed a means test (same as for Repairs Assistance) or is on a qualifying passporting benefit as 4.12.
- Applicant must not be eligible for other assistance such as Green Deal, ECO or other schemes.
- Two estimates will be sought from Gas Safe registered contractors.

10.4 The Council will, where appropriate, pay the clients contribution under Green Deal (Eco).

10.5 Payment:- The grant will be paid following installation, commissioning, a satisfactory inspection and upon receipt of an invoice.

Chapter 3:

Disabled facilities assistance

1.0 Introduction

- 1.1 The Council will consider valid applications for disabled facilities assistance.
- 1.2 In accordance with section 1.4 of Chapter 1 of the Policy, Huntingdonshire disabled facilities assistance may be made to any person to allow him to carry out any of the purposes specified in section 2.1 (a), (b) and (c) of Chapter I of the Policy where the main aim of the work is to benefit a disabled occupant and to achieve any of the purposes mentioned in section 23 (1) of the 1996 Act or to otherwise make the dwelling suitable for the accommodation, welfare and employment of a disabled person.
- 1.3 Applications made for any of the purposes mentioned in section 23 (1) of the 1996 Act (the purposes for which an application for disabled facilities grant must be approved) will be called “top up assistance”.
 - 1.3.1 Applications for top up assistance will be made according to the provisions of section 2 of Chapter 3 of the Policy.
- 1.4 Top-Up Assistance for children’s DFG’s will be subject to a means test because the means test on the mandatory element has recently been abolished by Government. (June 2006)
- 1.5 Property Owners will be subject to the means test for Top-Up Assistance for adult DFG’s where the disabled person is not the property owner but is the beneficiary of the DFG. (July 2007)
- 1.6 Applications made for any purpose not mentioned in section 23 (1) of the 1996 Act but to make the dwelling suitable for the accommodation, welfare and employment of a disabled person will be called “special purposes assistance”
 - 1.6.1 Applications for special purposes assistance will be made according to the provisions of section 3 of Chapter 3 of the Policy.

2.0 Top up assistance

Eligibility

- 2.1 Where, under this Chapter, an application is made for top up assistance, it will not be considered to be a valid application unless –
 - (a) the applicant is a person who has made a valid application for a disabled facilities grant under Chapter 1 of Part 1 of the 1996 Act as amended, and
 - (b) the application for disabled facilities grant has been approved, or the application is capable of being approved and approval is pending, and
 - (c) the amount of disabled facilities grant (as defined by section 34 (3) (c) of the 1996 Act) that is approved or is likely to be approved will exceed the maximum amount of that grant then permitted by order of Secretary of State under section 33 (3) (a) of the 1996 Act.

2.2 Where top up assistance is approved as a grant, no further information than has been necessary to determine the application for disabled facilities grant will be required from an applicant.

2.3 Where top up assistance is approved as a grant, the provisions relating to its administration and, as appropriate, its repayment will be identical to that for disabled facilities grant awarded under the 1996 Act.

2.4 Where top up assistance is approved as a loan, the provisions relating to its administration and, as appropriate, its repayment will be identical to that for disabled facilities grant awarded under the 1996 Act except as provided under section 4 of this Chapter.

2.5 Approval of any award of top up assistance over £15k is delegated to the Head of Housing Services. (June 2006)

Determination of whether top up assistance is a grant or a loan

2.6 Top up assistance will be in the form of a grant unless –

- (a) the application is accompanied by an owner's certificate, and
- (b) the disabled occupant is a member of the owner's family, and
- (c) the works (including those provided under the award of disabled facilities grant) will, in the opinion of the Council, enhance the capital value of the dwelling by an amount at least equivalent to the amount of top up assistance awarded,

in which case top up assistance will be in the form of a loan.

2.6.1 Any decision to award a loan made according to this paragraph will be notified to the applicant in writing, together with a statement of any conditions that may apply under section 4 of this Chapter.

2.6.2 No loan will be made unless the applicant returns a signed form of acceptance to the conditions detailed in the statement of conditions.

2.6.3 Any decision to award a loan made according to this paragraph may be appealed according to the procedure described in section 2 of Chapter 4 of the Policy.

2.6.4 In the case of an appeal made on the ground that the work does not enhance the capital value of the property to the extent described in 2.6 (d), the applicant may seek the advice of a property valuation specialist approved of by the Council the cost of which advice may, with the prior approval of the Council, be added to any award of top up assistance subsequently made.

3.0 Special Purpose Assistance

3.1 Where, under this Chapter, an application is made for special purpose assistance it will not be considered a valid application unless –

- (a) It is for the purposes mentioned in section 23 (2) of the 1996 Act, and

(b) the application is accompanied by a recommendation from an occupational therapist that the works are necessary for the accommodation, welfare or employment of the disabled occupant.

3.2 No application for special purposes assistance will be approved where to provide such assistance would, in the opinion of the Council, prevent or significantly delay the award of assistance to a person having a right to apply for a disabled facilities grant or top up assistance.

3.2.1 Any decision under this paragraph shall be with regard to the budget set aside for the purpose of making grants to disabled persons.

3.3 Any award of special purpose assistance will be made in the form of a loan.

3.4 Any decision to award a loan made according to this paragraph will be notified to the applicant in writing, together with a statement of any conditions that may apply under section 4 of this Chapter.

3.5 No loan will be made unless the applicant returns a signed form of acceptance to the conditions detailed in the statement of conditions.

4.0 Disabled facilities assistance loan conditions

4.1 This section will apply when an application for disabled facilities assistance has been approved by the Council in the form of a loan and an offer made to the applicant which the applicant has accepted.

4.2 Under this section –

“property” means the dwelling to which the application relates;

“loan” means top up loan or special purposes loan;

“award notice” means the notice sent to the grant applicant notifying him that the award has been allocated to him and may now be drawn upon.

“effective date” means the date on which the award notice is issued by the Council;

“certified date” means the date on which the approved works are certified as completed to the satisfaction of the Council;

“relevant disposal” has the same meaning as in paragraph 9.12 of Chapter 2 of the Policy;

“exempt disposal” has the same meaning as in paragraph 9.13 of Chapter 2 of the Policy.

4.3 It is a condition of a loan that the applicant shall enter into a legal agreement with the Council to secure such loan either by way of legal charge on the property or in such other manner as the Council’s Head of Legal and Estates shall require.

4.4 It is a condition of a loan that if the owner of the property makes a relevant disposal (other than an exempt disposal) –

(a) of the whole or part of the premises to which the application relates,

(b) after the effective date, and

(c) before the certified date,

he shall repay to the Council on demand the amount of award, if any, that has been paid.

4.5 It is a condition of a loan that if the owner of the property makes a relevant disposal (other than an exempt disposal) –

(a) of the whole or part of the dwelling,

(b) on or after the certified date,

he shall repay to the Council on demand the amount of the loan that has been paid.

4.6 A condition under paragraphs 4.4 or 4.5 may be registered as a local land charge binding on any person who is for the time being an owner of the property.

4.7 Where the Council has the right to demand repayment under paragraphs 4.4 or 4.5, it may determine not to demand payment or to demand a lesser amount if –

(a) the owner, or any member of the owner's family who lives in the dwelling as their only or main residence, is aged 60 or over, or is infirm, and

(b) the disposal is being made for the purpose of enabling that person who is aged 60 or over, or is infirm to be cared for, and

(c) the Council is satisfied that such arrangements for the care of that person who is aged 60 or over or is infirm will not otherwise be possible.

4.8 Where the Council has the right to demand repayment under paragraphs 4.4 or 4.5 it may determine not to demand payment or to demand a lesser amount if –

(a) the sale is made to enable the owner or his partner to take up employment and the Council is satisfied that the offer would otherwise not be able to be accepted, or

(b) the sale is by a mortgagee and the mortgage was entered into before the award was made, or

(c) the Council is satisfied that the human rights of the owner will otherwise be infringed

4.9 Where, under paragraph 4.7 and 4.8 the owner makes an application that the loan should not be repaid or, as the case may be, some lesser amount than the approved amount be repaid, the application will be made in writing to the Council's Head of Housing Services who may –

(a) refuse such an application, or

(b) recommend that the Council's Head of Revenue Services approve such an application.

4.10 Where subparagraph 4.9 (a) applies, the Head of Housing Services will –

- (a) give the owner his reasons in writing why the application has been refused, and
- (b) inform the owner of his rights under the Council's complaints procedure, and
- (c) he will do so within 30 days of having made such enquiries and requested such evidence as he thinks is necessary to determine the application.

4.11 Where subparagraph 4.9 (b) applies–

- (a) the Head of Housing Services will make his recommendation to the Head of Revenue Services within 14 days of having made such enquiries and requested such evidence as he thinks is necessary to make his recommendation, and he will do so in writing to the Head of Housing Services within 14 days, and
- (b) the Head of Revenue Services will inform the Head of housing Services in writing of his decision within 14 days of having made such enquiries and requested such evidence as he thinks is necessary to make his recommendation, and
- (c) the Head of Housing Services will, no later than seven days after receiving such a written response, then give the owner the reasons in writing why the application has been refused or approved and, if it is refused, inform the owner of his rights under the Council's complaint procedure and the local authority Ombudsman procedure.

5.0 Disabled persons' relocation grant

5.1 Applications for assistance made for the purpose described under article 3 (1) (a) of the Order (assistance to enable a person to acquire living accommodation) may be approved to enable a person to move to more suitable accommodation (up to a maximum amount of **£5,000**) if –

- (a) advice has been received from the social services authority under section 24 (3) (a) of the 1996 Act, and
- (b) the adaptation recommended by the social services authority is for any of the purposes mentioned in section 23 (1) of the 1996 Act, and
- (c) in the Council's opinion the disabled person's existing accommodation is unsuited to being adapted in the manner advised due to the matters mentioned in section 24 (3) (b) of the 1996 Act or due to cost or to social reasons, and
- (d) the aggregate cost of all assistance made by the Council under the Policy and the 1996 Act would, in the opinion of the Council, be less than the cost of adapting the disabled person's existing accommodation.

5.2 An award made under this section may include the cost of –

- (a) removal expenses;
- (b) carpets, window coverings and white goods where the replacement is wholly and necessarily required as a consequence of the relocation;
- (c) estate agent's fees;
- (d) redecoration;

- (e) security measures
- (f) any other expense of relocation reasonably incurred.

5.2.1 The maximum amount payable will be limited to £5,000 per relocation.

5.2.2 Unless the Council decides otherwise, grant made for the purpose mentioned in subparagraph 5.2 (a) will be calculated according to the cost of the lower of two quotes provided by the applicant to the Council and found to be acceptable by the Council.

5.2.3 Grant made for the purposes mentioned in subparagraph 5.2 (b) will be calculated according to the replacement value of goods of a standard equivalent to the applicant's existing goods.

5.2.4 Grant made for the purposes mentioned in subparagraph 5.2 (c) will be made to the full extent of the expense incurred only where the Council accept such expense is reasonable.

5.2.5 Grant made for the purpose mentioned in subparagraph 5.2 (d) may not be paid if the applicant is transferring to a rented property and redecoration is the owner's responsibility.

5.3 Any award made under this section will be made in the form of a grant and be called disabled persons' relocation grant..

5.4 Provisions relating to the administration and, where appropriate, the repayment of disabled persons' relocation grant will be identical to those for disabled facilities grant awarded under the 1996 Act.

N.B. the means test for Disabled Persons Relocation Grant¹ for children's cases is abolished (June 2006);

¹ The cost of moving to a more suitable property is a viable option, the Council will pay for some of the removal costs instead of adapting the current home. This is only available where it would save the Council money.

Chapter 4:

Supplementary Provisions

1. Death of applicant

- 1.1 This section applies to any award made under the provisions of the Policy.
- 1.2 Following the applicant's death, references in the Policy to the applicant will be construed to be a reference to his personal representatives.
- 1.3 Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may, if it thinks fit, pay grant in respect of some or all of those matters.
- 1.4 Where the applicant dies after any works have been started and before the works have been completed, the Council may, if it thinks fit, pay grant in respect of some or all of the works already carried out or any of the works for which assistance has been approved.
- 1.5 Where an award has been made under section 5 of Chapter 3 of the Policy (Disabled persons' relocation grant) and the applicant dies before the relocation has taken place, the Council may, if it sees fit, pay the relocation grant or any part thereof.

2.0 Review

- 2.1 Any decision made under the Policy may be reviewed at the request of the applicant unless that decision is one made under paragraph 9.10 of Chapter 2 of the Policy or paragraph 4.9 of Chapter 3 of the Policy (an application for the waiver or reduction of a repayment of a loan) in which case the procedure described in the said paragraphs will be in lieu of the procedure described in this section.
- 2.2 A request for a review should be made according to the provisions of this section.
- 2.3 The review request should be addressed to the officer who made the decision being appealed against –
 - (a) in writing, and
 - (b) within 21 days of the date of the decision letter unless the Council determines otherwise in any particular case.
- 2.4 The review will be conducted by a senior Council officer not previously connected with the case (the "Review Officer").
- 2.5 The Review Officer will make such enquiries and request such evidence as he thinks necessary and will inform the appellant in writing of his decision within seven days of making such enquiries receiving such evidence.
- 2.6 Where he refuses an appeal, the Review Officer will inform the appellant of his rights under the Council's complaint procedure and the local authority Ombudsman procedure.

3.0 Reviewing the Policy

- 3.1 The Policy may be reviewed whenever necessary but in any case no less often than annually.
- 3.2 Minor changes to the Policy may be made by the Head of Housing Services in consultation with the Portfolio Holder for Housing.
- 3.3 Major changes to the Policy must be made by full Council.
- 3.4 For the purposes of paragraph 3.2, a minor change is one affecting only the administration of the Policy or one which results from a change in legislation or statutory guidance which must be observed.
- 3.5 For the purposes of paragraph 3.3, a major change is one which –
 - (a) removes from the Policy a power to make assistance, or
 - (b) adds to the Policy a power to make assistance, or
 - (c) sets limits, whether financial or otherwise, to existing powers under the policy.

Applications falling outside of the policy

- 3.6 Where an application is made that falls outside of the Policy, the Private Sector Housing Officer may, if he thinks fit, recommend that the application be considered by the Head of Housing Services and the Portfolio Holder for Housing who may then consider the application on its merits and may approve the application.

4.0 Budgetary matters

- 4.1 In the financial year 2003-2004, approvals for assistance made under Chapter 2 of the policy (repair assistance) will be paid from the budget allocated for renovation grants and home repair assistance.
- 4.2 In the financial year 2003-2004, approvals for assistance made under Chapter 3 of the Policy (disabled facilities assistance), including special purposes assistance and disabled persons' relocation grant, will be paid from the budget allocated for disabled facilities grant.
- 4.3 The position for 2004-2005 and thereafter will be reviewed during 2003-2004.

Appendix 1:

REGULATORY REFORM ORDER

Statutory Instrument 2002 No. 1860

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

STATUTORY INSTRUMENTS

2002 No. 1860

HOUSING, ENGLAND AND WALES

REGULATORY REFORM

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

Made 18th July 2002

Coming into force in accordance with article 1(2) and (3)

Whereas:

(a) The Secretary of State for Transport, Local Government and the Regions, as respects England, and the Secretary of State for Wales, as respects Wales, ("the Secretaries of State") are each of the opinion that -

(i) certain provisions of the Housing Act 1985^[1], the Local Government and Housing Act 1989^[2], and the Housing Grants, Construction and Regeneration Act 1996^[3] impose burdens upon local housing authorities in the exercise of their functions in relation to the provision of financial and other assistance for, or in connection with, the improvement, repair and renovation of housing;

(ii) Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996 contains an anomaly, in that it provides for grants under section 1(1)(c) of that Act to be available in relation to dwellings but not in relation to houseboats or park homes;

(iii) the provisions of this Order do not remove any necessary protection, or prevent any person from continuing to exercise any right or freedom which he might reasonably expect to continue to exercise;

(iv) the provisions of this Order, taken as a whole, strike a fair balance between the public interest and the interests of the persons affected by burdens created by this Order;

(v) the extent to which this Order removes or reduces the burdens referred to in subparagraph (i), or has other beneficial effects for persons affected by those burdens, makes it desirable for this Order to be made;

(b) the Secretaries of State have consulted^[4] -

(i) such organisations as appear to them to be representative of interests substantially affected by the provisions of this Order,

(ii) such organisations as appear to them to be representative of statutory bodies to whose functions those provisions relate;

(iii) the National Assembly for Wales, and

(iv) such other persons as they consider appropriate;

(c) the Secretaries of State, having undertaken that consultation, consider it appropriate to proceed with the making of this Order;

(d) the Secretaries of State have laid before Parliament a document containing proposals in the form of a draft of this Order, together with details of the matters specified in section 6(2) of the Regulatory Reform Act 2001;

(e) in relation to that document, the period for Parliamentary consideration (within the meaning of section 8 of that Act) has expired;

(f) the Secretaries of State have had regard to the representations made during that period and, in particular, to the Sixth Report (session 2001-2) of the Deregulation and Regulatory Reform Committee of the House of Commons and the Fifteenth Report (session 2001-2) of the Delegated Powers and Regulatory Reform Committee of the House of Lords with regard to that document;

(g) the Secretaries of State have laid with a draft of this Order a statement giving details of the matters specified in section 8(5) of the Regulatory Reform Act 2001; and

(h) the Secretaries of State have secured the agreement of the National Assembly for Wales to the making of this Order (which includes provision removing or modifying functions of the Assembly):

Now, therefore, the Secretary of State for Transport, Local Government and the Regions, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred by section 1 of the Regulatory Reform Act 2001, with the agreement of the National Assembly for Wales, hereby make the following Order, of which a draft has been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. - (1) This Order may be cited as the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

(2) The following provisions -

- (a) this article,
- (b) articles 2 to 9 and Schedule 1,
- (c) article 14 and Schedule 5,
- (d) article 15 and Schedule 6, in so far as they relate to -
 - (i) the Local Government Act 1988^[5],
 - (ii) the Government of Wales Act 1998^[6], and
 - (iii) the 1989 Act, except sections 93 and 169,

shall come into force on the day after that on which this Order is made.

(3) The following provisions -

- (a) article 10 and Schedule 2,
- (b) article 11 and Schedule 3,
- (c) article 12 and Schedule 4,
- (d) article 13,

(e) article 15 and Schedule 6 (in so far as they are not already in force),

shall come into force on the day that falls 12 months after the day on which this Order is made.

Interpretation

2. In this Order, unless the context otherwise requires -

"the 1996 Act" means the Housing Grants, Construction and Regeneration Act 1996^[7];

"the 1989 Act" means the Local Government and Housing Act 1989^[8];

"the 1985 Act" means the Housing Act 1985^[9];

"the appropriate Minister" -

(a) in relation to a local housing authority in England, means the Secretary of State;

(b) in relation to a local housing authority in Wales, means the National Assembly for Wales;

"assistance" means assistance under article 3;

"assisted work" means work of any description in relation to the carrying out of which assistance is provided;

"living accommodation" means any of the following -

(a) a building or part of a building;

(b) a caravan, within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960^[10] (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968^[11]); and

(c) a boat or similar structure,

occupied or available for occupation for residential purposes (whether, in the case of a building or part of a building, in single or multiple units); and includes any yard, garden, outhouses and appurtenances belonging to the building or, as the case may be, the caravan, or the boat or similar structure, or usually enjoyed with it;

"local housing authority" means a district council, a London borough council, the Common Council of the City of London, a Welsh county council or county borough council, or the Council of the Isles of Scilly.

Power of local housing authorities to provide assistance

3. - (1) For the purpose of improving living conditions in their area, a local housing authority may provide, directly or indirectly, assistance to any person for the purpose of enabling him -

(a) to acquire living accommodation (whether within or outside their area);

(b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of anything or injection of any substance, or otherwise);

(c) to repair living accommodation;

(d) to demolish buildings comprising or including living accommodation;

(e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.

(2) The power conferred by paragraph (1)(a) may be exercised to assist a person to acquire living accommodation only where the authority -

(a) have acquired or propose to acquire (whether compulsorily or otherwise) his existing living accommodation; or

(b) are satisfied that the acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by the carrying out of work of any description in relation to his existing living accommodation.

(3) Assistance may be provided in any form.

(4) Assistance may be unconditional or subject to conditions, including conditions as to the repayment of the assistance or of its value (in whole or in part), or the making of a contribution towards the assisted work; but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution.

- (5) Before a local housing authority provide assistance to any person, they shall -
- (a) give to that person a statement in writing of the conditions (if any) to which the assistance is to be subject; and
 - (b) satisfy themselves that that person has received appropriate advice or information about the extent and nature of any obligation (whether financial or otherwise) to which he will become subject in consequence of the provision of assistance.
- (6) A local housing authority may take any form of security in respect of the whole or part of any assistance.
- (7) Where any such security is taken in the form of a charge on any property, the local housing authority may at any time reduce the priority of the charge or secure its removal.
- (8) This article is subject to articles 4 and 5.
- (9) Nothing in this article affects any power of a local housing authority under Part 14 of the 1985 Act (loans for acquisition or improvement of housing).

Provision of assistance: supplementary

4. A local housing authority may not exercise the power conferred by article 3 in any case unless -
- (a) they have adopted a policy for the provision of assistance under that article;
 - (b) they have given public notice of the adoption of the policy;
 - (c) they have secured that -
 - (i) a document in which the policy is set out in full is available for inspection, free of charge, at their principal office at all reasonable times; and
 - (ii) copies of a document containing a summary of the policy may be obtained by post (on payment, where a reasonable charge is made, of the amount of the charge); and
 - (d) the power is exercised in that case in accordance with that policy.

Protective provisions

5. - (1) A local housing authority may not provide assistance for a purpose specified in article 3(1)(b), (c) or (d) unless they are satisfied that the owner of the living accommodation concerned has consented to the carrying out of the assisted work.

(2) For the purposes of paragraph (1), "owner" -

(a) in relation to living accommodation comprising a building or part of a building, means the person who -

(i) is for the time being entitled to receive from a tenant of the accommodation (or would be so entitled if the accommodation were let) a rent at an annual rate of not less than two-thirds of the net annual value of the accommodation; and

(ii) is not himself liable as tenant of the accommodation, or of property which includes the accommodation, to pay such a rent to a superior landlord;

(b) in relation to living accommodation comprising a caravan or a boat or similar structure, means the person who is for the time being entitled to dispose of the caravan or boat or similar structure.

(3) In paragraph (2), "net annual value", in relation to living accommodation, means the rent at which the accommodation might reasonably be expected to be let from year to year if the tenant undertook to pay all usual tenant's rates and taxes and to bear the cost of repair and insurance and the other expenses, if any, necessary to maintain the accommodation in a state to command that rent.

(4) Any dispute arising as to the net annual value of living accommodation shall be referred in writing for decision by the district valuer.

(5) In paragraph (4), "district valuer", in relation to living accommodation in respect of which a person has applied or proposes to apply to a local housing authority for assistance, means an officer of the Commissioners of Inland Revenue appointed by the Commissioners for the purpose of deciding, in relation to the authority, any dispute under that paragraph.

(6) Where a local housing authority have specified, or approved the specification for, assisted work, they shall not vary, or require the variation of, that specification unless they have obtained the consent of every person who, in the authority's opinion, is likely to be affected to any material extent by the variation.

(7) A local housing authority shall not vary or revoke any condition to which assistance is subject except on the application or with the consent of the person to whom the assistance was provided.

Provision of information and evidence

6. A local housing authority may require a person -

- (a) to whom assistance has been provided; or
- (b) who has applied for assistance,

to give to them, within such period as they may reasonably specify, such information or evidence (including information or evidence relating to his financial circumstances) as the authority may reasonably require for the purposes of, or purposes connected with, the exercise of their powers under article 3.

Contributions towards expenditure of local housing authorities

7. - (1) Contributions towards expenditure incurred by a local housing authority in providing assistance may be paid by the appropriate Minister.

(2) The rate or rates of the contributions, the calculation of the expenditure to which they relate and the manner of their payment shall be determined by the appropriate Minister.

(3) A determination under paragraph (2) -

(a) may be made generally or with respect to a particular local housing authority or description of authority, including a description framed by reference to authorities in a particular area, and

(b) may make different provision in relation to different cases or descriptions of case.

(4) Contributions under this article shall be payable subject to such conditions as to records, certificates, audit or otherwise as the appropriate Minister may impose.

(5) Where the appropriate Minister is the Secretary of State, the consent of the Treasury is required before any determination is made under paragraph (2) or any conditions are imposed under paragraph (4).

Recovery of contributions

8. - (1) Where the appropriate Minister has paid contributions under article 7 to a local housing authority, he may recover from the authority such amount as he determines to be appropriate in respect of repayments of assistance.

(2) The amount shall be calculated by reference to the amount appearing to the appropriate Minister to represent his contribution to -

(a) assistance in respect of which repayments have been made to the authority, or

(b) assistance in respect of which repayments could have been recovered if reasonable steps had been taken by the authority,

together with an appropriate percentage of any interest received by the authority, or which would have been received if reasonable steps had been taken by the authority.

(3) The question what steps it would have been reasonable for the authority to take shall be determined by the appropriate Minister.

Amendments consequential on article 3

9. Schedule 1, which makes amendments consequential on article 3, shall have effect.

Amendment of section 435 of the 1985 Act and consequential provision

10. - (1) Section 435 of the 1985 Act (power of local authorities to advance money) is amended in accordance with Part 1 of Schedule 2.

(2) Part 2 of that Schedule, which makes provision consequential on paragraph

(1), shall have effect.

(3) Nothing in paragraph (1) or (2) affects advances made by a local authority under section 435(1)(d) of the 1985 Act (advances for altering, enlarging, repairing or improving houses or for facilitating repayment of previous loans) before the date on which this article comes into force.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers on local housing authorities in England and Wales a new power to improve living conditions in their area (article 3). The new power enables an authority to provide assistance to any person for -

- (a) the acquisition of living accommodation, where the authority wish to purchase a person's home or as an alternative to adapting, improving or repairing it;
- (b) the adaptation or improvement of living accommodation (including by alteration, conversion or enlargement, and by the installation of things or injection of substances);
- (c) the repair of living accommodation;
- (d) the demolition of buildings comprising or including living accommodation;
- (e) the construction of replacement living accommodation to replace living accommodation that has been demolished.

Authorities are required to consider a person's ability to meet a contribution or to repay the assistance, both before imposing a condition to that effect and before taking steps to enforce a condition of that kind. They are also required to provide a written statement of the conditions to which assistance is subject, and to ensure that a person to whom assistance is given has received advice or information about any obligations to which he would be subject once assistance has been provided. They may take security, including a charge on property.

The new power is not exercisable until the authority has adopted and published a policy relating to their exercise of the power, and the power must be exercised in accordance with the policy (article 4).

Where the new power is to be exercised in relation to a building, the prior consent of the owner is required (article 5). Other protective provisions require authorities to obtain the consent of the person to whom the assistance was provided before varying the specification of any assisted work, and before varying or revoking any condition to which the assistance is subject.

Authorities are empowered to require the provision of information and evidence for the purposes of, or in connection with, the new power (article 6).

Articles 7 and 8 provide for the making of contributions towards authorities' expenditure under the new power, and for the recovery of contributions.

Article 9 and Schedule 1 make amendments consequential on article 3.

Article 10 and Part 1 of Schedule 2 amend section 435 of the Housing Act 1985. Part 2 of that Schedule makes amendments consequential on the amendments in Part 1.

Article 11 and Schedule 3 amend Parts 1 and 4 of the Housing Grants, Construction and Regeneration Act 1996. Chapter 1 of Part 1 is retained only for the purposes of what was previously mandatory disabled facilities grant. The other purposes for which grant is payable under that Chapter, and the provisions of Chapters 2 and 3 of Part 1 relating to group repair schemes and home repair assistance, are subsumed in the new power.

Article 12 and Schedule 4 make consequential amendments to section 116 of the Rent Act 1977, sections 100, 244 and 255 of the Housing Act 1985 and section 169 of the Local Government and Housing Act 1989.

Article 13 amends section 93(5) and (6) of the Local Government and Housing Act 1989.

Article 14 and Schedule 5 amend Part 7 of the Local Government and Housing Act 1989. The general effect of the amendments is to remove restrictions relating to renewal areas.

Article 15 and Schedule 6 provide for the repeal of provisions.

Notes:

[1] 1985 c.68.

[2] 1989 c.42.

[3] 1996 c.53.

[4] By virtue of section 5(4) of the Regulatory Reform Act 2001 (c.6), consultation undertaken before 10th April 2001 (the day on which the Act was passed) is treated as satisfying the consultation requirements of section 5(1) of that Act to the extent that, if it had been undertaken after that day, it would have satisfied those requirements. A consultation paper "Private sector housing renewal: Reform of the Housing Grants, Construction and Regeneration Act 1996, Local Government and Housing Act 1989 and Housing Act 1985" was published by the Department of the Environment, Transport and the Regions in March 2001. Copies may be obtained from the Department for Transport, Local Government and the Regions Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7NB (tel: 0870 1226 236).

[5] 1988 c.9.

[6] 1998 c.38.

[7] 1996 c.53.

[8] 1989 c.42.

[9] 1985 c.68.

[10] 1960 c.62

[11] 1968 c.52.

[12] For the date of approval in the case of group repair schemes not submitted for specific approval *see* section 64(1) of the Housing Grants, Construction and Regeneration Act 1996.

[13] 1977 c.42. Subsection (3) was substituted by the Housing Grants, Construction and Regeneration Act 1996, Schedule 1, paragraph 1.

[14] 1985 c. 70 Section 20A was inserted by the Housing and Planning Act 1986 (c.63), Schedule 5, Part 1, paragraph 9(1). Subsection (1) was numbered as such by virtue of the Local Government and Housing Act 1989 (c.42), Schedule 11, paragraph 90, and amended by the Housing Grants, Construction and Regeneration Act 1996, Schedule 1, paragraph 11(1).

[15] 1988 c.9.

[16] Subsection (1A) was inserted by the Housing Act 1996 (c.52), Schedule 18, paragraph 27.

[17] *See* the Local Government Finance Act 1992 c.14; the Caravan Sites and Control of Development Act 1960 (c.62); the Caravan Sites Act 1968 (c.52); and the Mobile Homes Act 1983 (c.34).

[18] S.I. 1999/672, to which there are amendments not relevant to this Order.

Appendix 2:

Summary of the Housing Health and Safety Rating System (new requirements)

THE HAZARD PROFILES

PHYSIOLOGICAL REQUIREMENTS

Hydrothermal Conditions

- 1 Damp and mould growth
- 2 Excess cold
- 3 Excess heat

Pollutants (non-microbial)

- 4 Asbestos (and MMF)
- 5 Biocides
- 6 Carbon Monoxide and fuel combustion products
- 7 Lead
- 8 Radiation
- 9 Uncombusted fuel gas
- 10 Volatile Organic Compounds

B PSYCHOLOGICAL REQUIREMENTS

Space, Security, Light and Noise

- 11 Crowding and space
- 12 Entry by intruders
- 13 Lighting
- 14 Noise

C PROTECTION AGAINST INFECTION

- 15 Domestic hygiene, Pests and Refuse
- 16 Food safety
- 17 Personal hygiene, Sanitation and Drainage
- 18 Water supply for Domestic Purpose

D PROTECTION AGAINST ACCIDENTS

Falls

- 19 Falls associated with baths etc

20 Falls on the level

21 Falls associated with stairs and steps

22 Falls between levels

Electric Shocks, Fires, Burns and Scalds

23 Electrical hazards

24 Fire

25 Hot surfaces and materials

Collisions, Cuts and Strains

26 Collision and entrapment

27 Explosions

28 Ergonomics

29 Structural collapse and failing elements

Appendix 3:

AMENDMENTS TO THE COUNCIL'S HOUSING RENEWAL ASSISTANCE POLICY

The seven recommended changes to the Repairs Assistance Policy were agreed by Cabinet with a few caveats on **29 June 2006** they are summarised below;

1. the Council provide small grants of up to £800 per case to help people on low incomes to pay for their contribution to Warm Front grants². This should be called 'Warm Front Top-Up Grant';
2. approval levels for DFG Top-Up³ Assistance are increased to £15k to reflect in the increase in building costs and the decision on whether to award DFG Top Up Assistance over £15k is delegated to the Head of Housing Services instead of the Head of Housing Services together with the Director of Operational Services;
3. the decision on whether to increase officer approval levels in 1. and 2. above in the future is delegated to the Head of Housing Services and Housing Portfolio holder instead of Cabinet;
4. top-Up Assistance for children's DFG's is subject to a means test because the means test on the mandatory element has recently been abolished by Government;
5. the means test for Disabled Persons Relocation Grant⁴ for children's cases is abolished;
6. if applicants owe money to Huntingdonshire District Council or any Registered Social Landlord they should demonstrate that they have an agreed arrears payment plan in place and that they are up to date with the payments; and
7. the policy should be amended to reflect that the Housing Fitness Standard (Section 189 & 190 of the Housing Act 1985) has been replaced by the Housing Health & Safety Rating System (HHSRS) (Part 1 of the Housing Act 2004).

² Warm Front is the Government's scheme to install energy efficiency measures in people's homes. It is awarded to those who are in fuel poverty.

³ DFG Top-Up is available for owner occupiers only. If the cost of a DFG exceeds £25k mandatory limit, the Council can offer Top-Up. This is a loan and a charge is placed on the property.

⁴ The cost of moving to a more suitable property is a viable option, the Council will pay for some of the removal costs instead of adapting the current home. This is only available where it would save the Council money.

Appendix 4:

AMENDMENTS TO THE COUNCIL'S HOUSING RENEWAL ASSISTANCE POLICY

The three recommended changes to the Repairs Assistance Policy were agreed by Cabinet on **19 July 2007** they are summarised below;

1. That exempt disposal should only apply if the person who inherits the property in question intends to continue to live in the property as their principal home otherwise it should be deemed to be a relevant disposal and the loan repaid.
2. Property owners should be subject to the means test for Top-Up Assistance for adults DFG's where the disabled person is not the property owner but is the beneficiary of the DFG.
3. Where the equity is sufficient to support a loan, the Council will offer a loan for the cost of work, subject to the usual eligibility and means test. Where the equity is insufficient to support the total cost of work, a grant can be considered for the remaining amount by the Private Sector Housing Officer or a more senior officer.

Appendix 5:

AMENDMENTS TO THE COUNCIL'S HOUSING RENEWAL ASSISTANCE POLICY

The three recommended changes to the Repairs Assistance Policy were agreed by Cabinet on 19 November 2014 they are summarised below;

1. Having considered the policy it was agreed that the maximum relocation grant would be reduced from £15k to £5k in order to limit exposure to the Council's revenue costs but try and help more families with moving costs.

Appendix 6

AMENDMENTS TO THE COUNCIL'S HOUSING RENEWAL ASSISTANCE POLICY

On 16th March 2017, HDC Cabinet was asked to approve the following changes:

1. Repair Assistance will change to Discretionary Minor Repairs Assistance with the maximum amount per application reduced from £20,000 to £5,000.
2. Landlord Grant will be withdrawn as it does not meet the objective of the Better Care Fund.
3. Special Purpose Assistance will change from a loan to a grant to enable assistance to be provided expediently.
4. Boiler Replacement Scheme will be withdrawn but funding for boilers may be provided through Discretionary Minor Repairs Assistance.
5. Priority will be given to Disabled Facilities Grant funding ahead of other renewal assistance schemes.

Agenda Item No: 8

DISABLED FACILITIES GRANT REVIEW

To: Adults Committee

Meeting Date: 3 November 2016

From: Wendy Ogle-Welbourn

Interim Executive Director: Children, Families and Adults Services

Electoral division(s): All

Forward Plan ref: Not applicable Key decision: No

Purpose: To provide an update on the Disabled Facilities Grant (DFG) Review

Recommendation: The Committee is asked to note the update on the DFG Review and approve the Joint Housing Adaptations Agreement which replaces the County Council's existing Disabled Facilities Grant Top-up Policy

Officer contact:

Name: Trish Reed

Post: Interim Service Development

Manager - HRS

Email: trish.reed@cambridgeshire.gov.uk

Tel: 01223 714565

1.0 BACKGROUND

1.1 The Cambridgeshire DFG Review was established in February 2016 as a work stream of the Older People's Accommodation Board. The aim of the review was to take a more strategic approach to housing adaptations, encompassing the current service model and the capital and revenue funds contributed to the DFG process by a range of partners. The review group comprises representatives from each District Council, the County Council, the Clinical Commissioning Group (CCG) and Foundations (the national body for Home Improvement Agencies).

1.2 Disabled Facilities Grant is administered by District Councils who receive a financial allocation from Government (the DFG Capital Allocation) to spend on adaptations. This has been received via the Better Care Fund (BCF) since 2015/16. In 2016/17, there was a significant uplift in the Disabled Facilities Grant (DFG) from £1.9 million in Cambridgeshire in 2015/16, to £3.4 million in 2016/17. This was passed in full to District Councils by the County Council in line with national policy, while the DFG review project examined our overall approach and considered the implications of these changes.

1.3 The County Council and CCG also contribute revenue funding to each District for the operation of the three Home Improvement Agencies (HIAs) in the County – the Council contributes £314k and the CCG £80k. This funding is also included within the BCF budget. The BCF creates a joint budget to enable health and social care services to work more closely together across each Health and Wellbeing Board area. .

2.0 DFG REVIEW - KEY FINDINGS

2.1 The DFG draft report, attached at Appendix 1, highlights three key findings:

- New services are needed that consider people's needs in context, including early conversations and planning for the longer term: services need to engage with people before they need an adaptation, and should encourage people to think about whether the accommodation they are

living in is suitable for the longer term.

- Existing services need to adapt to support a growing population: performance in many parts of the county is too slow in the implementation of adaptations funded through DFGs. It is recommended that the ability to 'fast track' commonly requested small adaptations (e.g. level access showers) be introduced and that a full review of existing processes and procedures is needed to speed up the DFG process.
- Funding arrangements across the system will need to change to support a shift in focus: the significant increase in capital funding offers new opportunities for the HIAs to generate more fees and become financially self-sustainable.

2.2 HIAs are able to charge fees for the adaptation work that they undertake. This is often in the region of 15% of the cost of the work. The charge is levied against the overall grant, not attributed to the individual service user. HIAs that are dependent on fees as their sole source of income have an incentive to complete work quickly and in so doing increase the overall number of adaptations completed in the year. It is recommended that a proportion of existing revenue funding should be diverted to prevention and early intervention services in order to put in place other measures as an alternative to housing adaptation.

2.3 To inform the DFG Review, current levels of need and the performance of the existing HIAs were reviewed by Public Health, and by Foundations, the national body for Home Improvement Agencies. This exercise found that the need for adaptations will continue in line with the increasing older population. However, performance of the existing HIA arrangements in terms of time taken to deliver adaptations needs to be improved. For example in Peterborough the typical time for completion of a level access shower is 30 days. This compares to six months in the combined Cambridgeshire HIA (Cambridge, South Cambridgeshire and Huntingdonshire) although is a more straightforward process for a unitary authority.

2.4 The review findings have been accepted by the DFG Review Group, and discussions on how to take the findings and service recommendations forward are in progress. These include the development and funding of new prevention pathways, whilst continuing in the short term to support the HIAs to improve their performance. It is proposed that this will be achieved through a tapering of County Council/CCG revenue funding and more effective use of the DFG capital allocation.

2.5 It has been agreed that (District Councils will receive a reduced level of revenue funding for a period of 12 months from 1 April 2017 to provide transitional support. In return, a proportion of the DFG capital allocation will be passed back to the County Council. The precise levels of capital and revenue funding are currently under discussion. This will provide support to the HIAs to transform their operations, whilst also supporting the County Council to meet its savings requirements in the context of the removal of the Adult Social Care Capital Grant. This arrangement would cease on 31 March 2018. This approach will produce a saving to the Council of £150K in 2017/18, as set out in the Council's draft business plan. An agreement setting out key indicators to support the change management process would be provided for the Home Improvement Agencies. It has been agreed with District Councils that 10% of the current revenue (£38k) would be retained in

2017/18 to support the development of the Early Help/Housing Options pathway.

2.6 Further discussions are taking place to develop a more flexible approach to using the DFG capital allocation. The regulatory framework (Regulatory Reform (Housing Assistance) Order 2002) provides considerable scope to use capital to deliver improved outcomes through the development of a Housing Adaptations Policy.

2.7 While the district housing authorities aspire to reach agreement on a Cambridgeshire Joint Adaptations Policy this will take some time to develop. In the meantime a Cambridgeshire Housing Adaptations Agreement has been drafted (see Appendix 2) containing principles that all partners can sign up to, including flexible use of the DFG Capital allocation for other grants, relocation expenses and 'fast track' adaptations. It also includes provision for the District Councils to use an element of the DFG Capital Allocation to provide Top-Up grants or loans that are currently the responsibility of the County Council. This means that the current DFG Top-Up Policy adopted by the County Council will cease to exist. This will remove a significant amount of duplication of officer time and confusion for vulnerable households who currently apply to both district and County Councils.

3.0 ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

3.1.1 There are no significant implications for this priority.

3.2 Helping people live healthy and independent lives

3.2.1 The overall approach described in the key findings is to promote a shift in how support is provided – towards support that is focused on promoting independence and keeping people independent and well through advice and support to access appropriate housing at an early stage. This compliments the Council's Transforming Lives approach to social work. The transformation activity described in the recommendations from this report will make a strong contribution to this priority.

3.3 Supporting and protecting vulnerable people

3.3.1 The development of a Cambridgeshire Housing Adaptations Policy will ensure that as far as possible there is a consistent approach to adapting the homes of vulnerable households across the County. The development of additional Early Help prevention options promoting a more joined up approach across housing, health and social care presents additional safeguarding opportunities.

4.0 SIGNIFICANT IMPLICATIONS

4.1 Resource implications

4.1.1 The intended withdrawal of a proportion of the revenue funding revenue by the County Council in 2017/18 will deliver a £150k saving. The withdrawal of the remaining revenue from 2018/19 will allow the Council to redirect this towards developing and funding new prevention pathways. It is possible that an element of the DFG Capital Allocation can be retained by the County Council with the agreement of all partners in future.

4.1.2 The ability to fund Top-up grants from the DFG Capital Allocation rather than from the Councils own resources provides more financial certainty in this area.

4.2 Statutory, Risk and Legal Implications

4.2.1 The DFG Review considered the districts' statutory duty to provide DFGs for

vulnerable households. The resulting policy is sufficiently flexible to allow the districts discretion in their application of the policy, providing it meets the joint principles of partnership working and prevention.

4.2.2 The revenue funding withdrawal provides an element of risk for the districts with regard to resourcing home improvement agency services. However officers are working closely with districts to mitigate this risk and ensure that the HIAs can continue to deliver services in the medium term while they work towards improved performance and financial sustainability.

4.2.3 While there is no statutory requirement for the County Council to provide topup funding for DFGs there has in recent years been a policy to allow this in order to meet the social care needs of vulnerable households. In 2014 this Policy was amended to provide top-up by way of a loan rather than a grant and demand has subsequently fallen. The new Cambridgeshire Housing Adaptations Agreement allows the district housing authorities to manage and administer Top-up funding on behalf of the County Council therefore the Councils' own Policy will end when the new Agreement comes into force on 1st April 2017.

4.3 Equality and Diversity Implications

4.3.1 There are no significant implications within this category. Disabled Facilities Grants are by definition provided for vulnerable households that include an adult or child with a disability.

4.4 Engagement and Consultation Implications

4.4.1 There are no significant implications within this category. All partners have been fully engaged and consulted throughout the Review process through workshops and multi-agency project group meetings. As there will be no direct impact on service users (other than increased funding and a desire to speed up adaptations) it has not been felt necessary to consult directly with them.

4.5 Localism and Local Member Involvement

4.5.1 There are no significant implications within this category.

4.6 Public Health Implications

4.6.1 Better coordination of services and access to suitable adapted housing for vulnerable households is important for the overall health of the local population. A shift towards a more preventative approach to housing adaptations that considers people's needs in context, including early conversations and planning for the longer term, will form part of a wider shift towards more preventative services which support the overall aims of Cambridgeshire's Better Care Fund Plan and Health and Wellbeing Strategy.

Source Documents Location

DFG Review Report

2nd floor, Octagon, Shire Hall

Draft Housing Adaptations

Agreement

2nd floor, Octagon, Shire Hall

Implications Officer Clearance

Have the resource implications been cleared by Finance?

Yes

Name of Financial Officer:

T Kelly (Adults)

Has the impact on Statutory, Legal and Risk implications been cleared by LGSS Law?

No

Name of Legal Officer:

Lynne Owen

Are there any Equality and Diversity implications?

Yes

Charlotte Black:

Have any engagement and communication implications been cleared by Communications?

No

Name of Officer:

Simon Cobby

Are there any Localism and Local Member involvement issues?

Yes

Charlotte Black

Have any Public Health implications been cleared by Public Health

Yes

Tess Campbell

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Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Huntingdonshire Design Guide Supplementary Planning Document
Meeting/Date:	Overview and Scrutiny Panel (Economy and Growth) – 9th March 2017 Cabinet – 16th March 2017
Executive Portfolio:	Councillor R Harrison, Executive Councillor for Growth
Report by:	Clara Kerr, Planning Service Manager
Wards affected:	All

Executive Summary:

The current Huntingdonshire Design Guide Supplementary Planning Document (SPD) was adopted in 2007. Since that time there have been significant changes in national and local planning policy. The new design guide has been produced as an aid to improving the design quality of new development in Huntingdonshire. It sets out important design principles and explains key requirements of the Council. It has been designed as a manual to inform and inspire anyone with an interest in the development process, and a key supporting document for making planning decisions.

Recommendations:

The Overview and Scrutiny Panel is invited to consider and comment on the report.

The Cabinet are recommended to:

- 1) Adopt the proposed 'Huntingdonshire Design Guide' as a Supplementary Planning Document, with any minor amendments prior to publication being delegated to the Head of Development in consultation with the Executive Member for Growth; and
- 2) In making that decision, note the comments from the Consultation Statement and the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report and endorses the officer responses to the issues raised.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek Cabinet's approval for the 'Huntingdonshire Design Guide Supplementary Planning Document', which was subject to a six week public consultation between 31st October and 12th December 2016. At the time of drafting this report work is continuing on ensuring that the necessary amendments are made to the Design Guide following the public consultation. The Design Guide is electronically attached. The technical nature of the Design Guide means that it is not interactive at this time. The content remains the same, and the interactive version will be available to the public upon launch at the end of March.

2. BACKGROUND

- 2.1 The new 'Huntingdonshire Design Guide Supplementary Planning Document' will replace the existing 'Huntingdonshire Design Guide Supplementary Planning Document', which was adopted in 2007. The draft SPD consists of 5 chapter:

- **Chapter 1: Overview** – provides background information on the purpose, objectives and status of the SPD once adopted and how the SPD should be used. This chapter also sets out why good design matters.
- **Chapter 2: Context and Local Distinctiveness** – provides an overview of the context of Huntingdonshire in terms of the existing settlement pattern, the future development strategy, the network of strategic connections, the landscape character of the district as well as more detailed information about the nature of public space and the architectural character of the district.
- **Chapter 3: Place Making Principles** – provides details on important place making principles that should be used to create attractive developments throughout Huntingdonshire. It covers land use and density; place making and hierarchy of movement; urban structure and the development block; parking and servicing; landscape and public realm; building form and building detail.
- **Chapter 4: Implementation** – sets out a step by step process for the successful design of development proposals. It also sets out a series of development scenarios that show how the place making principles can be brought together. The scenarios include several examples of developments in Huntingdonshire to highlight instances where this has been achieved.
- **Chapter 5: References and Glossary** – provides details of useful resources and publications that will support the process of drawing up well designed development proposals as well as explaining some of the terms used in the SPD.

3. LINK TO CORPORATE PLAN, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

- 3.1 The adoption of the Huntingdonshire Design Guide SPD is a key action under Strategic Objective 1a) 'Create, protect and enhance our safe and clean built and green environment' of the Corporate Plan.

4. COMMENTS OF OVERVIEW AND SCRUTINY

- 4.1 The comments of the Overview and Scrutiny Panel (Economy and Growth) will be circulated as an appendix following its meeting on 9th March 2017 but prior to the consideration of the report by the Cabinet.

5. MAIN ISSUES RAISED DURING CONSULTATION

- 5.1 A total of 42 comments were received from 21 consultees. A summary of the main issues raised in comments as well as a list of the consultees that made comments are presented in the Consultation Statement, attached to this report as Appendix A. The complete comments received can be found on the Council's [Consultation Portal](#). Comments were also received from an advisory group of the Council's Development Management Committee and internal consultees.
- 5.2 The majority of comments received were supportive and complementary. Most consultees chose to submit one comment with a number of detailed points concerned with specific parts of the consultation draft. There were a number of overarching issues raised:

Density	Summary: A range of points were raised, mostly on chapter 3. Place Making Principles, 3.2 Land Use and Density, but were raised on other sections as well. These included queries and concerns about how density is calculated, the difference between 'net' and 'gross' density, the relationship of proposed development with its surroundings, the typical density ranges identified and what is considered to be 'high', 'medium' and 'low' density development. Response: The range and nature of comments shows that this is a subject needs clarifying and expanding the design guide's content for. Many different considerations mean that it is difficult to set density ranges for different locations. Stating density in terms of a number of dwellings per hectare is a crude measure on its own as different building forms can have the same density but will have markedly different characters. Furthermore, this approach needs to remain flexible to allow for any future potential changes in Government Guidance. Changes: Text on density in section 3.2 has been revised and added to. Additional diagrams have been added to help explain how different building forms can affect density and how 'net' and 'gross' density are calculated. Table 3.2.1, which set out a range of typical densities has been deleted.
Navigation and usability of the document	Summary: Several comments raised issues with the practicalities of using the document, noting how they found it difficult to move around and navigate through the document or could foresee problems with referencing specific content. Others were concerned about the way that it had been designed for digital use and that this may have adversely impacted on using a printed version. Response: It is acknowledged that the extent to which the

	document was geared towards being used online and on touchscreen devices was ambitious. However, it was not the intention that this should be done to the exclusion or detriment of usability in printed form. Unfortunately some navigation functionality was not available in the consultation draft. Changes: Several usability and navigation enhancements will be made once the content is finalised.
Parking Provision	Summary: A wide range of comments were raised, mostly on chapter 3. Place Making Principles, 3.5 Parking and Servicing, but were raised on other sections as well. A number of specific issues are covered below. There were concerns expressed about how appropriate provision could be provided successfully within new development, with a number of references made to existing instances with problems. There were also concerns about the compatibility of semi-basement and basement parking with flood risk. Response: This is understandably one of the most important issues for a design guide to address. It is considered that there would be benefit in providing separate detailed guidance on parking provision, both in terms of how to determine the level of provision and details such as the form location and dimensions of spaces as well as other related travel/ transport guidance. The form such guidance might take will be investigated. Changes: Several amendments made to aid clarity. The Garage design measurements text and diagram have been amended to aid clarity. Cycle parking text is also amended.
Various related topics	Summary: Several comments raised topics relating to design, whether in detail or touched on more implicitly. These issues include the range of architectural styles and their evolution, historic environment, detailed requirements in relation to water courses, tree and woodland protection and enhancement. Response: While these issues are related to design most are detailed in nature and are specific to particular circumstances. Several of these issues are addressed in more detail in planning or related documents/ sources and are (or will be following amendments) referenced in the Design Guide, for example the Huntingdonshire Landscape and Townscape Assessment SPD, the Tree Strategy for Huntingdonshire and the recently produced Cambridgeshire Flood and Water SPD. While there is some scope to revise and add to the content in the Design Guide it is considered that these issues are best addressed elsewhere. Changes: Several amendments have been made throughout the document to aid clarity and provide

	reference to specific policy and guidance.
Water management and Flood Risk	Summary: Comments were mostly on chapter 3. Place Making Principles, 3.6 Landscape and Public Realm, Water Management, but were raised on other sections as well. Concerns raised included caution about infiltration with reference to ground conditions, usability of diagrams for surface water management, space in development for sustainable drainage systems as well as their upkeep and properly addressing flood risk including boundary treatments. Reference to the recently completed Cambridgeshire Flood and Water SPD was requested. Response: Water management and addressing flood risk are important subjects which are addressed in numerous guidance and policy documents. Finding the right balance of content for the Design Guide has been difficult but it is considered appropriate to amend and add to the content in the draft SPD to some extent. Reference to Cambridgeshire Flood and Water SPD would be beneficial; however it is still to be adopted by the Council. Changes: Several references to flood risk have been added. Water management section has been revised and added to, diagrams clarified, reference to Cambridgeshire Flood and Water SPD added.

- 5.3 The more detailed issues raised on sections of the design guide are set out in the Consultation Statement in the same format as the general issues covered above.
- 5.4 The Design Guide has been amended as indicated in the Consultation Statement at Appendix A. Due to the size of the document it will only be supplied electronically. It is anticipated that a small number of minor amendments will be required to finalise the document, in order to correct 'typos'. Several usability and navigation enhancements will also be made once the content is finalised. Such amendments will not affect the content of the SPD.

6. STRATEGIC ENVIRONMENTAL ASSESSMENT

- 6.1 The aim of the Strategic Environmental Assessment Directive is 'to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.'
- 6.2 The Directive is implemented through the Environmental Assessment of Plans and Programmes Regulations 2004. Supplementary planning documents may in exceptional circumstances require a strategic environmental assessment (SEA) if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.
- 6.3 In order to determine whether a SEA is necessary for the Huntingdonshire Design Guide a screening process has been undertaken and is set out in the

Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report, which is attached as Appendix B.

- 6.4 The conclusions of the SEA screening are that the Design Guide will not have significant environmental effects and therefore does not require full Strategic Environmental Assessment.

7. HABITATS REGULATION ASSESSMENT

- 7.1 The Habitats Directive requires competent authorities to decide whether or not a plan or project can proceed having undertaken the following “appropriate assessment requirements” to:

- Determine whether a plan or project may have a significant effect on a European site
- If required, undertake an appropriate assessment of the plan or project
- Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment

- 7.2 In order to determine whether an appropriate assessment is necessary for the Huntingdonshire Design Guide a screening process has been undertaken and is set out in the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report, which is attached as Appendix B.

- 7.3 The conclusions of the HRA screening are that the Design Guide will not have an adverse effect on the integrity of any internationally designated sites either on its own or in combination with any other plans. Therefore, an appropriate assessment is not required.

8. LEGAL IMPLICATIONS

- 8.1 The updating of our local policy position will give more coherent, consistent and robust support to the Council’s position with regard to the design quality of development in the district. The adoption of the SPD will give its contents weight at Public Inquiries and throughout the development management process.

- 8.2 The production, public participation and proposed adoption of this draft SPD have complied with relevant regulations and provisions as set out in the Town and Country [Local Planning] [England] Regulations 2012 as amended, being the applicable regulations for the process.

9. RECOMMENDATIONS

- 9.1 The Overview and Scrutiny Panel is invited to consider and comment on the report.

- 9.2 The Cabinet are recommended to:

- adopt the proposed ‘Huntingdonshire Design Guide’ as a Supplementary Planning Document, with any minor amendments prior to publication being delegated to the Head of Development in consultation with the Executive Member for Growth; and
- in making that decision, note the comments from the Consultation Statement and the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report and endorses the officer responses to the issues raised.

LIST OF APPENDICES INCLUDED

Appendix A: Consultation Statement: Huntingdonshire Design Guide SPD

Appendix B: Strategic Environmental Assessment and Habitat Regulations
Assessment Screening Report

CONTACT OFFICER

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Consultation Statement: Draft SPD: Huntingdonshire Design Guide 2016

Huntingdonshire District Council prepared a draft Supplementary Planning Document (SPD) entitled “Huntingdonshire Design Guide 2016” which was published for public consultation. The consultation period ran from 31st October 2016 to 12th December 2016 (a six week period).

At the start of the consultation period email notifications were sent to all consultees on the planning policy consultation database. The database currently has over 2000 consultees.

During the consultation period a copy of the draft SPD was available at Pathfinder House, St Mary’s Street, Huntingdon, PE29 3TN during normal office hours (Mondays to Thursdays 9am to 5pm and on Fridays between 9am and 4.30pm).

Representations on the content of the draft SPD could be made in a number of ways:

- Online through the council’s planning consultation portal at <http://consult.huntingdonshire.gov.uk/portal/spd/design>
- By email to local.plan@huntingdonshire.gov.uk
- In writing to Clara Kerr, Planning Services, Huntingdonshire District Council, Pathfinder House, St Mary’s Street, Huntingdon, Cambridgeshire, PE29 3TN

Following Consultation

Following the consultation period the draft SPD has been revised in light of the representations received. This consultation statement has also been revised with details of:

- i. the persons that have been consulted during preparation of the SPD;
- ii. a summary of the main issues raised in representations received; and
- iii. how those issues have been addressed in the final adopted version of the SPD.

Comments Received

A total of 42 comments were received from 21 consultees. The consultees that made comments are listed in Appendix 1. Full details of the comments received can be found on the Council’s [Consultation Portal](#). Comments were also received from the Council’s Development Management Committee and internal consultees.

Main Issues raised during the Consultation

The table below sets out the main issues raised in comments received during the consultation. The issues are arranged with general/ overarching issues first (in alphabetical order) and then chapter/ section specific issues following the order of the consultation document. For each main issue a short summary of the nature/ scope of the issue is provided, then in the ‘Response’ column a summary of the view taken in response to the issue is provided, finally the ‘Changes’ column gives a description of any amendments that have been incorporated into the final version of the SPD. Many of the consultation responses covered more than one issue, and sometimes their content does not fit neatly into a specific topic. The numbers listed for each issue refer to the ID number given in the consultation portal

Main Issue	Summary	Response	Changes
Density	A range of points were raised, mostly on chapter 3. Place Making Principles, 3.2 Land Use and Density, but were raised on other sections as well. These included queries and concerns about how density is calculated, the difference between 'net' and 'gross' density, the relationship of proposed development with its surroundings, the typical density ranges identified and what is considered to be 'high', 'medium' and 'low' density development. DG SPD:10, 11, 18, 30, 41	The range and nature of comments shows that this is a subject that is worth clarifying and expanding the design guide's content for. Many different considerations mean that it is difficult to set density ranges for different locations. Stating density in terms of a number of dwellings per hectare is a crude measure on its own as different building forms can have the same density but will have markedly different characters.	Text on density in section 3.2 revised and added to. Additional diagrams added to help explain how different building forms can affect density and how 'net' and 'gross' density are calculated. Table 3.2.1 deleted.
Navigation and usability of the document	Several comments raised issues with the practicalities of using the document, noting how they found it difficult to move around and navigate through the document or could foresee problems with referencing specific content. Others were concerned about the way that it had been designed for digital use and that this may have adversely impacted on using a printed version. DG SPD:7, 16, 31, 34, 41	It is acknowledged that the extent to which the document was geared towards being used online and on touchscreen devices was ambitious. However, it was not the intention that this should be done to the exclusion or detriment of usability in printed form. Unfortunately some navigation functionality was not available in the consultation draft.	Several usability and navigation enhancements will be made once the content is finalised.
Parking Provision	A wide range of comments were raised, mostly on chapter 3. Place Making Principles, 3.5 Parking and Servicing, but were raised on other sections as well. A number of specific issues are covered below. There were concerns expressed about how appropriate provision could be provided successfully within new development, with a number of references made to existing instances with problems. There were also concerns about the compatibility of semi-basement and basement parking with flood risk. DG SPD:3, 31, 33, 38, 40, 41	This is understandably one of the most important issues for a design guide to address. It is considered that there would be benefit in providing separate detailed guidance on parking provision, both in terms of how to determine the level of provision and details such as the form location and dimensions of spaces as well as other related travel/ transport guidance. The form such guidance might take will be investigated.	Several amendments made to aid clarity. See below for changes arising from detailed issues.
Support	The majority of comments were supportive of the Design Guide, with several explicitly stating support. DG SPD:1, 2, 4, 5, 16, 31, 33, 36, 38, 40, 41	Support is noted.	-
Various related topics	Several comments raised topics relating to design, whether in detail or touched on more implicitly. These issues include the range of architectural styles and their evolution, historic environment, detailed requirements in relation to water courses, tree and woodland protection and enhancement. DG SPD:8, 16, 33, 37	While these issues are related to design most are detailed in nature and are specific to particular circumstances. Several of these issues are addressed in more detail in planning or related documents/ sources and are (or will be following amendments) referenced in the Design Guide, for example the Huntingdonshire Landscape and Townscape Assessment SPD, the Tree Strategy for Huntingdonshire and the recently produced Cambridgeshire Flood and Water SPD. While there is some scope to revise and add to the content in the Design Guide it is considered that these issues are	Several amendments made throughout the document to aid clarity and provide reference to specific policy and guidance.

Main Issue	Summary	Response	Changes
		best addressed elsewhere. In 'Parking Provision' above the potential for additional guidance has been identified and will be investigated. The potential for further, or the revision of existing, guidance will be investigated as well as content in the emerging Local Plan.	
Water management and Flood Risk	Comments were mostly on chapter 3. Place Making Principles, 3.6 Landscape and Public Realm, Water Management, but were raised on other sections as well. Concerns raised included caution about infiltration with reference to ground conditions, usability of diagrams for surface water management, space in development for sustainable drainage systems as well as their upkeep and properly addressing flood risk including boundary treatments. Reference to the recently completed Cambridgeshire Flood and Water SPD was requested. DG SPD:10, 13, 16, 28, 30, 33, 34, 35, 36, 40, 42,	Water management and addressing flood risk are important subjects which are addressed in numerous guidance and policy documents. Finding the right balance of content for the Design Guide has been difficult but it is considered appropriate to amend and add to the content in the draft SPD to some extent. Reference to Cambridgeshire Flood and Water SPD would be beneficial; however it is still to be adopted by HDC.	Several references to flood risk added. Water management section revised and added to, diagrams clarified, reference to Cambridgeshire Flood and Water SPD added.
1. Overview, 1.3 Objectives 123	Comments were generally supportive but expressed concerns about the points identified under 'Proposals will not be supported where the applicant:' DG SPD:17, 38, 40, 41	It is considered important to clearly state circumstances where development proposals would not be supported. Most of these points are considered to be appropriate. However, the first point should be amended with reference to characteristics and surroundings.	Change to first bullet point of second set of bullet points under 1.3 Objectives. Amendments in other sections are considered to help address the issues raised here.
1. Overview, 1.4 Status of the Guide to 1.6 Design Principles	Comments sought enhanced reference and acknowledgement of the emphasis placed on good design in national planning policy and guidance and the role of the SPD and its relationship with other planning documents. DG SPD:30, 33, 38,	The content in the document is considered to generally be appropriate – links to NPPF and NPPG are provided so it is not necessary to quote extensively from national policy or guidance, either the support for good design or how the SPD relates to other planning documents.	Several minor amendments made to aid clarity.
2. Context and Local Distinctiveness	Comments raised concerns about several detailed issues in this section including the detail about the development strategy of the emerging Local Plan, the evolution of settlements and the content on traditional architecture. DG SPD:30, 33, 41,	This content in the document is considered to generally be appropriate. Content related to the emerging Local Plan should be revised so that it remains applicable as the Local Plan is finalised, should changes be made from the current draft. Content on architecture supplements that already available in various documents including the Huntingdonshire Landscape and Townscape Assessment SPD and various conservation area character statements. It is considered appropriate that the design guide emphasises survey and analysis of the context for each development proposal.	Several minor amendments made to aid clarity and to more broadly identify the development strategy of the emerging Local Plan.

Main Issue	Summary	Response	Changes
3. Place Making Principles, 3.3 Place Making and Hierarchy of Movement	Concerns were raised about permeability in relation to land ownership and security; the hierarchy of travel modes and use of materials. DG SPD:9, 29, 31, 36	The benefits of achieving good permeability are such that it is promoted in the Design Guide. As it will be one of a number of considerations it is considered that the current content is generally appropriate.	Several minor amendments made to aid clarity.
3. Place Making Principles, 3.3 Place Making and Hierarchy of Movement, Street Types	Comments expressed concerns about the applicability of different street types to development scenarios; whether the street types described existing streets or those to be used in new development; issues with the cross-section diagrams, queries about dimensions and clarification of provision for cycling. DG SPD:9, 30, 31, 36, 38, 40, 41	There is benefit from clarifying the content on street types.	Street types, text and diagrams amended. Several minor amendments made to aid clarity.
3. Place Making Principles, 3.4 Urban Structure and the Development Block	Comments identified concerns about back to back distances, enclosure, consistency, building form, car parking provision and the use of archways DG SPD:19, 20, 21, 22, 24, 25, 26, 30, 38, 40	Distances and measurements are used where considered necessary but generally are a guide only, it is accepted that in certain circumstances it may be appropriate to deviate from stated measurements.	Several minor amendments made to aid clarity.
3. Place Making Principles, 3.5 Parking and Servicing, Garage Design	Content relating to the use of integral garages was raise. Support and some queries were raised about the garage design measurements text and diagram. DG SPD:3, 27, 30, 36, 40	Potential for clarification on this aspect of parking provision is recognised.	Garage design measurements text and diagram amended to aid clarity. See also 'Parking Provision' above.
3. Place Making Principles, 3.5 Parking and Servicing, Cycle Parking	A number of queries were raised in relation to the provision of cycle parking within developments. DG SPD:30, 31, 38, 41	In contrast with car parking provision the overall support for cycling as a sustainable travel mode means that a more supportive/ enabling approach should be taken than with car parking. Therefore this content in the document is considered to generally be appropriate, but some text revision would aid clarity.	Text amended to aid clarity.
3. Place Making Principles, 3.5 Parking and Servicing, Bin Storage and Servicing	Queries were raised concerning residential waste and recycling storage, use of alleyways and ginnels for access. There was support but also some queries about content on HDC Refuse Collection Requirements. DG SPD:27, 36, 41	This content in the document is considered to generally be appropriate. It is considered that the content included in the consultation draft on HDC Refuse Collection Requirements is too detailed and poorly presented. It also overlaps with, and potentially conflicts with, previously adopted guidance. This section should be revised with reference made to the Cambridgeshire and Peterborough RECAP Waste Management Design Guide SPD and the HDC Waste Collection Policies. The contents should be simplified and concentrate on the key points to consider in designing development proposals with regards to waste collection. Potential for further guidance/ detailed specification will be considered.	Content on Bin Storage and Servicing revised.

Main Issue	Summary	Response	Changes
3. Place Making Principles, 3.6 Landscape and Public Realm	The clarity of several detailed points in the landscape and public realm content were questioned, specifically the hierarchy diagram, space for SuDS and flood risk mitigation elements, public art, trees within development, lighting, historic environment, play space design and the role of open/ green space in providing a network for biodiversity. DG SPD:4, 8, 13, 28, 31, 33, 36, 37, 38	This content is considered to generally be appropriate.	Several minor amendments made to aid clarity. See also '3.8 Building Form' below regarding 'Ecology'.
3. Place Making Principles, 3.7 Building Form	Concerns about several key dimensions were raised as well as the examples of 'traditional' building form included. Other points included queries about privacy and defensible space, boundary treatments and building setbacks. There was support for the inclusion of content on the 45 and 25 degree rules. DG SPD:4, 23, 29, 30, 31, 33, 40	This content is considered to generally be appropriate, although some clarification would be beneficial.	Several minor amendments made to aid clarity.
3. Place Making Principles, 3.8 Building Details	A number of concerns were expressed about content on biodiversity, green infrastructure and use of hard surfacing materials, as well as viability and accessibility. DG SPD:4, 8, 12, 13, 33, 35, 38, 40	Much of the document's content is considered to generally be appropriate, although some clarification would be beneficial. Content on Ecology should be moved and revised.	Several minor amendments made to aid clarity. 'Ecology' moved to 3.6 Landscape and Public Realm between 'Play Areas and Playgrounds' and 'Trees'
4. Implementation, 4.2 The Design Process	Pre-application consultation was supported and encouraged with public bodies. Clarity on design codes and masterplanning was urged. DG SPD:14, 31, 36, 37	This content is considered to generally be appropriate. Support for pre-application consultations with other public bodies that provide such facility is beneficial. Content regards design codes and masterplanning is appropriate.	Several minor amendments made to aid clarity.
4. Implementation, 4.3 Development Scenarios	The development scenarios were generally supported, although the completeness of the 'questions to consider' was questioned with regards to heritage/ archaeology, ecology, surface water management and flood risk. Some additional examples were suggested. DG SPD:15, 36, 37, 41	Finding the right balance of completeness with highlighting key issues for the questions in this section was difficult. The questions have been reviewed, amended and add to. There is likely to be some benefit from continuing to identify examples of well designed development in the future on a periodic basis.	Amendments made to questions to be considered

Appendix 1: Consultees

The consultees that made comments are:

Hannah Albans of Persimmon Homes Ltd
Anthony Baker
Melissa Balk of Bidwells
Raymond Bowers
Rosalynne Carey-Townsend
John Chillcott
Sarah Conboy of Huntingdonshire District Council
Madelaine Crampton of Godmanchester Town Council
James Croucher of Lochailort Investments Ltd
Lois Dale of Houghton and Wyton Parish Council
Jenny Gellatly of Little Paxton Parish Council
Adam Ireland of the Environment Agency
Steven King of Historic England
Andrew Fisher of David Lock Associates for Tim Leathes of Urban and Civic
Graham Moore of Middle Level Commissioners
Stewart Patience of Anglian Water
M Pink of Earith Parish Council
Sue Reynolds of Cambridgeshire County Council
Debbie Steel of Brampton Parish Council
Natural England
Robert Lofthouse of Savills for Gallagher Estates Ltd

**Strategic Environmental Assessment and Habitat Regulations
Assessment Screening Report:**

**Huntingdonshire Design Guide Supplementary Planning Document
(SPD)**

February 2017

1. Introduction

1.1. This screening report fulfils two functions:

- It is the determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the proposed Huntingdonshire Design Guide Supplementary Planning Document (SPD).
- It is also intended to determine whether a Habitats Regulations Assessment (HRA) is required in accordance with Article 6(3) of the EU Habitats Directive and regulation 62 of the Conservation of Habitats and Species Regulations 2010 (as amended).

1.2. As set out in [NPPG](#) it is only in exceptional circumstances that a Strategic Environmental Assessment (SEA) will be necessary when producing a Supplementary Planning Document due to the potential for significant environmental effects being limited by the nature of the document providing support for the statutorily produced development plan.

The Purpose of Strategic Environment Assessment

1.3. The purpose of SEA is to secure a high level of protection for the environment and to integrate environmental considerations into the preparation of plans to promote sustainable development. To establish whether a SEA is required a screening assessment is undertaken which considers the SPD against a series of criteria set out in the SEA Directive.

1.4. If the Design Guide could have significant environmental effects it may require a SEA where for example:

- Where natural or heritage assets may be affected by the proposals in the Design Guide
- The Design Guide may have significant effects that have not already been considered through a sustainability appraisal of the Development Plan
- Where the cumulative impact of requirements of the Design Guide when assessed together may give rise to a likely significant environmental effect.

1.5. The formal criteria for assessing the likely significance of effects are set out in Annex II of the SEA Directive, Schedule 1 of the Regulations and are shown in Figure 1 below.

Figure 1: Criteria for determining likely significance of effects on the environment (from Article 3.5 of the SEA Directive)

1. The characteristics of neighbourhood plans, having regard, in particular, to
 - the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan,
 - the relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or waste protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability , duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans boundary nature of the effects,
 - the risks to human health of the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Habitats Regulations Assessment

- 1.6. A Habitats Regulations Assessment (HRA) may also be required where the requirements of the Design Guide may give rise to significant effects on internationally designated wildlife sites and they have not been considered as part of the assessment of development plans that the SPD supplements. Internationally designated wildlife sites are defined as any site of wildlife interest designated as a Special Protection Area under the Birds Directive (79/409/EEC) or as a Special Area of Conservation designated under the Habitats Directive (92/43/EEC). In addition sites designated under the Ramsar Convention (Iran 1971 as amended 1992) are also considered.
- 1.7. The process to establish whether a HRA is necessary starts with a screening exercise to determine whether any internationally designated sites might be exposed to likely significant effects as a result of implementation of the Design Guide and therefore whether further stages of the HRA process are required.

2. The Huntingdonshire Design Guide Supplementary Planning Document

- 2.1. The Huntingdonshire Design Guide Supplementary Planning Document will cover the whole of Huntingdonshire and will supplement policies within the adopted development plan.
- 2.2. The current adopted Development Plan is made up of:
 - The Core Strategy (adopted September 2009), which sets the spatial vision, objectives and strategic directions of growth to 2026
 - The Huntingdon West Area Action Plan, which was adopted in February 2011
 - Saved policies from the Local Plan 1995 and the Local Plan Alteration 2002
 - The 'made' neighbourhood plans for St Neots.
- 2.3. The Council is in the process of producing a district wide Local Plan that will, once adopted, replace all existing development plan documents. It will not supersede the St Neots Neighbourhood plan or any other neighbourhood plans that are 'made' prior to adoption of the Local Plan. However it will take precedence over 'made' neighbourhood plans if there is any conflict between the contents of the plans as the Local Plan will have been adopted most recently.
- 2.4. The SPD is divided into five chapters:
 - **Chapter 1: Overview** – provides background information on the purpose, objectives and status of the SPD once adopted and how the SPD should be used. This chapter also sets out why good design matters
 - **Chapter 2: Context and Local Distinctiveness** – provides an overview of the context of Huntingdonshire in terms of the existing settlement pattern, the future development strategy, the network of strategic connections, the landscape character of the district as well as more detailed information about the nature of public space and the architectural character of the district.
 - **Chapter 3: Place Making Principles** – provides details on important place making principles that should be used to create attractive developments throughout Huntingdonshire. It covers land use and density; place making and hierarchy of movement; urban structure and the development block; parking and servicing; landscape and public realm; building form and building detail.
 - **Chapter 4: Implementation** – sets out a step by step process for the successful design of development proposals. It also sets out a series of development scenarios that show how the place making principles can be brought together. The scenarios include several examples of developments in Huntingdonshire to highlight instances where this has been achieved.
 - **Chapter 5: References and Glossary** – provides details of useful resources and publications that will support the process of drawing up well designed development proposals as well as explaining some of the terms used in the SPD.
- 2.5 The SPD was subject to public consultation from 31 October 2016 until 12 December 2016.

3. SEA Screening Assessment

3.1. Table 1 below shows the assessment of whether the Huntingdonshire Design Guide SPD will require a full SEA.

SEA Directive Criteria ³ and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects (negative and positive)
The characteristics of the Cambridgeshire Flood and Water SPD having regard to:	
(1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD will not set a new framework for projects, and will not allocate resources. It offers guidance to supplement Local Plan saved policies and the Core Strategy and, once adopted, the Huntingdonshire Local Plan to 2036. The SPD will be a significant piece of design guidance for all new development across the district and will be an important planning aid to assist determination of planning applications and to inform planning consultations.
(1b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	Not applicable. The SPD will be in conformity with national planning policy and guidance, and the adopted development plan. As SPD it is the bottom level of the development plan framework.
(1c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD clarifies and adds detail to the process of ensuring that appropriate mitigation is taken when considering a wide range of environmental impacts arising from development. Sustainable development is an inherent theme that runs through the whole document but more specifically the SPD will promote sustainable development through layout design and design of buildings. It does not provide environment policy in its own right. Overall, it therefore contributes positively to the integration of environmental considerations.
(1d) Environmental problems relevant to the plan or programme.	Although the SPD seeks to address environmental problems, such as flood risk this is provided in the context of promoting and facilitating well design development in support of the planning policies contained within the development plan and is not the only or main source of guidance on such problems.
(1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked	Applicable in part. The SPD is relevant in part in that the document seeks to provide advice and guidance on issues including the provision of storage for refuse and recycling, sustainable drainage systems, passive solar gain. It is only likely to have a positive effect and is not the only or main source of guidance on such issues.

SEA Directive Criteria³ and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects (negative and positive)
to waste management or water protection).	
Characteristics of the effects and of the area likely to be affected, having regard, in particular to:	
(2a) the probability, duration, frequency and reversibility of the effects. (2b) the cumulative nature of the effects.	The anticipated effects on the sustainability of future development are expected to be positive and enduring with no negative effects. The SPD will provide detailed guidance to encourage well designed development and best practice in conformity with the development plan policies. The cumulative nature of the effects will be the delivery of well designed development with the aim of creating sustainable communities which will endure.
(2c) the transboundary nature of the effects.	The SPD covers Huntingdonshire. Any trans-boundary effects are likely to be limited to localised areas where development is permitted near the boundary with neighbouring local planning authorities. Any such effects are likely to be positive.
(2d) the risks to human health or the environment (for example, due to accidents).	Although the SPD provides guidance and advice on issues that could represent risks to human health or the environment it seeks to reduce risks and is not the only or main source of guidance on such issues. Risks cannot be ruled out through the construction process of any development.
(2e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The SPD is applicable to Huntingdonshire and would affect a population of approximately 169,500 (Census 2011) and relates to proposed new developments within a geographical area of approximately 910km ² . Effects are likely to be concentrated in urban areas such as the main towns and large villages (identified as 'Key Service Centres'), although the guidance is applicable to all forms of development and so would be apparent across the whole district.
(2f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards	There are a range of special natural characteristics in Huntingdonshire including sites of special scientific Interest, county wildlife sites and local nature reserves, and heritage assets, including, scheduled ancient monuments, areas of archaeological significance and listed buildings. These are largely protected, conserved and enhanced by adopted planning policies, national policy and other legislative or consent regimes. The SPD is unlikely to have a significant impact on these areas; however the SPD does include guidance on the relevant sources of guidance or organisations to consult if any of these

SEA Directive Criteria ³ and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects (negative and positive)
(iii) or limit values; or intensive land-use; and	characteristics might be affected by proposed development. The SPD advocates a clear design process which involves a detailed site appraisal to identify all physical and natural characteristics of the site and its surroundings. It is considered that the SPD will not adversely affect the value and vulnerability of the district. If anything, new development should incrementally improve and enhance the quality and sustainability of the district as a whole.
(2g) the effects on areas or landscapes which have a recognised national, Community or protection status.	There is a range of internationally designated sites in Huntingdonshire including Special Areas of Conservation, Special Protection Areas, Ramsar sites as well as national designations, such as Sites of Special Scientific Interest, and local designations including county wildlife sites and local nature reserves. These are protected, conserved and enhanced by adopted development plan policies as well as national and international legislative and consent regimes for important sites. Development plans have been subject to the Habitat Regulations Assessment screening process and, where necessary, appropriate assessment. The SPD is unlikely to have an impact on these areas; however this is assessed in the next section.

4. HRA Screening Assessment

The Need for an Assessment

- 4.1. The Huntingdonshire Design Guide Supplementary Planning Document (SPD) has been produced to provide guidance on the design of new development across Huntingdonshire.
- 4.2. The Habitats Directive 92/43/EEC and Habitats Regulations 1994 require a screening assessment to be carried out for the SPD in order to determine any likely significant effects that it might have on the integrity of internationally designated nature conservation sites. These are designated as Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites. The sites in Huntingdonshire are set out in Appendix A.
- 4.3. Advice from Natural England, following comments on a draft of the document, has been used to inform this assessment.

Baseline Data Gathering

- 4.4. Information on the sites and features of the SACs, SPAs and Ramsar sites was taken from the screening reports produced for the Habitats Regulation Assessment of the emerging Huntingdonshire Local Plan to 2036. The Local Plan was originally assessed in a screening report produced in 2013. A second screening report was produced in draft in January 2017 to ensure that changes to the draft plan were assessed. The second report is currently being considered by Natural England.
- 4.5. A variety of plans and programmes have been reviewed for the 'in combination' part of the assessment. These relate to plans produced at the county level as well as local plans and supporting documents. Details of the plans and programmes considered can be found in Appendix B.

Predicting and assessing effects on a European Site

- 4.6. When carrying out the assessment the following issues were considered:
 - Scope of the guidance included in the SPD;
 - Character of requirements set out in the SPD that could have environmental effects;
 - Sensitivities associated with the European Sites;
 - Whether or not there are sufficient safeguards for European sites;
 - The likely effects of requirements set out in the SPD on the integrity of European sites;
 - The likelihood that further HRA (and associated Appropriate Assessment) would be necessary at the planning application stage.

Scope of the guidance included in the SPD

- 4.7. The SPD aims to provide advice to support policies in the adopted development plan for Huntingdonshire. It provides advice and guidance only and is in conformity with current national and local planning policy. It does not include any policies or site allocations.

- 4.8. The SPD provides guidance and advice on a range of environmental, social and economic issues related to several different environmental issues within the wider aims of promoting well designed development. It aims to assist in determining planning applications, inform planning consultations and to help interpret national policy and guidance and relevant local planning policies. More detail on the SPD is contained above in section 2.

Sensitivities associated with the European Sites

- 4.8. Seven impact pathways could give rise to significant effects on internationally designated sites:
- Development on or adjacent to the site destroying part or all of the site, or changing the ecological functioning of the site (eg disrupting water flows or migration routes);
 - Increased public recreation, causing disturbance to birds, damage to vegetation, increased littering/ fly tipping or leading to management compromises (e.g. grazing being restricted);
 - Air pollution, air-borne pollutants;
 - Human induced changes in hydraulic conditions (this option was chosen because it includes both drought and flooding);
 - Invasive non-native species;
 - Pollution to groundwater (point sources and diffuse sources); and
 - Reduction in water quality, from increased discharges of sewage and surface water drainage, or from pollution incidents, either during or after construction.
- 4.9. The impact pathways need to be considered when looking at how requirements of the SPD may affect internationally designated sites. The SPD highlights some issues in connection with these pathways and requires developers to consider such issues when drawing up development proposal. However, the SPD provides guidance within the context of the range of national policies and legislation and supplementing development plan policies and other local documents that provide more detailed guidance and have specific requirements in relation to environmental effects.

Whether or not there are sufficient safeguards for European sites

- 4.10. It is understood that effects to biodiversity could take place during the construction of particular elements of development such as SuDS that are identified in the SPD. Cumulative effects may also impact on biodiversity across a wide area arising from other development/ activities and the requirements of other plans and programmes.
- 4.12. However, the SPD recognises the biodiversity benefits that well designed development can have; the SPD includes detailed content on ecology that reinforces national and local policy.
- 4.13. The current development plan for Huntingdonshire is made up of a number of documents produced over a considerable period of time. The saved policies of the Huntingdonshire Local Plan 1995 and Alteration 2002 date from before the current arrangements for screening were put in place. The Core Strategy was adopted in 2009. It was subject to

screening and full appropriate assessment. The assessment made recommendations that were taken into account in the adopted Core Strategy.

- 4.14. As indicated above the emerging Local Plan has been subject to screening. The reports produced indicate that full appropriate assessment will be needed for the Local Plan. The assessment of the Local Plan will consider the potential impact of draft policies and will recommend changes to safeguard against significant impacts. Once the Local Plan is adopted the SPD will support policies within the Local Plan. It is therefore considered that there are sufficient safeguards in place.

The likelihood that further HRA would be necessary at the planning application stage.

- 4.15. In order to ascertain that development proposals addressing environmental issues such as flood risk or water management will not have an adverse effect on the integrity of an internationally designated site a Habitats Regulations Assessment may need to be carried out for individual proposals as they come forward.

Findings of assessment and conclusions

- 4.16. The assessment has indicated that the SPD, in isolation, is not likely to affect the integrity of internationally designated sites. Although the SPD contains advice and guidance in connection with a range of environmental issues that should be considered as part of the process of producing well designed developments none of this advice or guidance provides the sole requirements in relation to any environmental issue where an adverse effect might arise.
- 4.17. In combination with the Strategic Environmental Assessment (SEA) of the Design Guide and the requirements for SEA and Habitats Regulations screening for development plan and other plans and programmes as well as the potential for individual development proposal to be assessed it is considered that there are adequate safeguards in place for internationally designated sites.

5. Conclusions

- 5.1. This report contains the assessments of the need for the Huntingdonshire Design Guide Supplementary Planning Document (SPD) to be subject to Strategic Environmental Assessment as required by the SEA Directive (2001/42/EC) and Habitats Regulations Screening Assessment as required by the Habitats Directive (92/43/EEC).
- 5.2. The assessment for both of these has been undertaken based on the policies and proposals set out in the final draft version of the SPD and within the strategic framework established in the adopted development plan, specifically the Core Strategy (2009) as well as the emerging Huntingdonshire Local Plan to 2036.
- 5.3. In relation to the requirement for Strategic Environmental Assessment to be undertaken, the assessment set out in section 3 concludes that as the SPD will not have significant effects on the environment. Therefore, a full assessment is not required.
- 5.4. In relation to the requirement for Habitats Regulations Assessment to be undertaken, the screening assessment set out in section 4 concludes that the SPD will not have an adverse effect on the integrity of any internationally designated sites either on its own or in combination with any other plans. Therefore, an appropriate assessment is not required.

Appendix A: Internationally Designated Sites

Three European sites are within or partly within Huntingdonshire and a further 5 are within 15km. Additionally The Wash is linked by waterways downstream:

Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
Portholme		
Fenland		Woodwalton Fen
Ouse Washes	Ouse Washes	Ouse Washes
Orton Pits		
Nene Washes	Nene Washes	Nene Washes
Eversden and Wimpole Woods		
Barnack Hills and Holes		
	The Wash	The Wash

Portholme SAC is within Huntingdonshire, close to the town of Huntingdon. It is designated as a SAC for its lowland hay meadows. It is the largest surviving traditionally-managed meadow in the UK, with 91ha of alluvial flood meadow (7% of the total UK resource). There has been a long history of favourable management and very little of the site has suffered from agricultural improvement, and so it demonstrates good conservation of structure and function. It supports a small population of fritillary *Fritillaria meleagris*.

Ouse Washes SAC/ SPA/ Ramsar. The SAC was designated for its spined loach *Cobitis taenia* populations within the River Ouse catchment. The Counter Drain, with its clear water and abundant macrophytes, is particularly important, and a healthy population of spined loach is known to occur. The SAC only covers the Counter Drain and not adjacent land designated as SPA and Ramsar. The SPA is a functional washland, with extensive winter flooding and traditional forms of agricultural management, including grazing and mowing of permanent grassland and rotational ditch clearance. It supports a great number of breeding and wintering wetland birds. The Ramsar site supports nationally and internationally important numbers of wintering waterfowl and nationally important numbers of breeding waterfowl. It is also of note for the large area of unimproved neutral grassland communities which it holds, and for the richness of the aquatic flora within the associated watercourses.

Fenland SAC falls partly within Huntingdonshire continuing to the north east. The SAC and Ramsar site is made up of three component Sites of Special Scientific Interest, which are Woodwalton Fen SSSI, Chippenham Fen SSSI and Wicken Fen SSSI. The part of Fenland SAC within Huntingdonshire is Woodwalton Fen SSSI. Fenland SAC contains one of the most extensive examples of the tall herb-rich East Anglian fen-meadow. All parts of the SAC hold large areas of calcareous fens, with a long and well-documented history of regular management.

Woodwalton Fen Ramsar site occupies a similar area to Woodwalton Fen SSSI. The site is within an area that is one of the remaining parts of East Anglia which has not been drained.

The fen is near natural and has developed where peat-digging took place in the 19th century. The site has several types of open fen and swamp communities. The site supports fen violet *Viola persicifolia* and fen wood-rush *Luzula pallidula* and a large number of wetland invertebrates including 20 British Red Data Book species. Aquatic beetles, flies and moths are particularly well represented.

Orton Pits SAC are lakes that filled old brick clay workings near Peterborough. The Qualifying Features for this SAC are: the Annex I habitat 3140 Hard oligo-mesotrophic waters and benthic vegetation of Char ssp.; Calcium -rich nutrient poor lakes, lochs and pools; and the Great Crested Newt *Triturus cristatus*. Like any lakes of this type they will be vulnerable to any pollution but they are isolated from watercourses stemming from Huntingdonshire. There is very little public access.

Nene Washes SAC/ SPA/ Ramsar site. The Qualifying Feature for the SAC is the Spined Loach. The Qualifying Features for the SPA are a suite of wetland bird species. The Nene Washes are just to the north of Huntingdonshire. Some of the streams and waterways of Huntingdonshire flow into the Nene via the Middle Level.

Eversden and Wimpole Woods SAC is in South Cambridgeshire to the southeast of St Neots. This site has been designated as a SAC due to the presence of a colony of Barbastelle bats *Barbastella barbastellus*. The woods comprise a mixture of ancient coppice woodland in the Eversden woods and high forest woods likely to be of more recent origin in the Wimpole Woods. The bat colony is present at Wimpole Woods, where the trees are used as a summer maternity roost. Most of the roost sites are within tree crevices. The bats also use the site as a foraging area and some of the woodland is used as a flight path when bats forage outside the site. The Barbastelle bat is one of the UK's rarest mammals. There is public access to the woods.

Barnack Hills and Holes SAC is an area of grassland on old quarry workings immediately adjacent to the village of Barnack, north of Peterborough. The Qualifying Feature for the is the Annex I habitat 6210 Semi-natural dry grasslands and scrubland facies: on calcareous substrates *Festuco-Brometalia* (important orchid sites). Barnack has the largest population of the *Orchis anthropophora* (L.) All. (Man Orchid) in the UK. The proximity of the site to the village makes it vulnerable to visitor pressures and possibly airborne pollutants.

The Wash SPA/ Ramsar site is considered because, although it is more than 15km from Huntingdonshire, it is downstream of the district for both the River Great Ouse and the River Nene. The channels and mud/ sandbanks between them shift over time and this is partly related to the volume of water coming down the rivers. These flows are predominantly linked to the weather but the impacts of urban areas on flows can be noticeable.

Appendix B

Relevant planning policy documents for consideration of combined effects

Relevant Plan	Brief overview and outline of policy	Comments
Cambridgeshire County Council		
Cambridgeshire and Peterborough Minerals and Waste Core Strategy, adopted July 2011.	The Minerals and Waste Local Plan aims to provide a sustainable strategy and policy framework for mineral extraction and waste management by seeking to reduce landfill, and place greater emphasis on recycling and recovery from waste.	The SPD does not specifically support this plan. The SPD will provide additional guidance for minerals and waste development proposals but this is considered to be very limited. As such it is not likely to cause any significant effects in combination.
Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan, adopted February 2012	The Plan sets out site specific allocations for minerals and waste development and supporting site specific policies to support the strategic vision set out in the Core Strategy.	The SPD does not specifically support this plan. The SPD will provide additional guidance for minerals and waste development proposals but this is considered to be very limited. As such it is not likely to cause any significant effects in combination.
Location and Design of Waste Management Facilities SPD, adopted July 2011.	This SPD was prepared to assist in the delivery of high quality sustainable waste management facilities. The document sets out a series of key development principles based on recognised good planning and design practice.	The SPD will provide additional guidance for minerals and waste development proposals but this is considered to be limited. As such it is not likely to cause any significant effects in combination.
RECAP Waste Management Design Guide SPD, adopted February 2012.	This SPD was produced to support the process of supporting the design policy requirements set out within the Core Strategy.	The SPD does not specifically support this plan, but does refer to it. The SPD will provide the wider design context for waste management but the detailed requirements are contained in the county wide SPD. As such it is not likely to cause any

Relevant Plan	Brief overview and outline of policy	Comments
		significant effects in combination.
Huntingdonshire District Council		
Huntingdonshire Core Strategy, adopted September 2009	Policies seek to conserve scenic beauty, natural resources and the quality of the built environment from inappropriate development. Designated sites (wildlife and heritage) and landscapes are given protection from development. It also aims to promote environmental protection and enhancement, (public open space, wildlife, historic environment, groundwater and surface waters).	The SPD supports this plan. The plan was subject to full appropriate assessment. As such it is not likely to cause any significant effects in combination.
Saved Policies of the Huntingdonshire Local Plan, adopted December 1995 and the Huntingdonshire Local Plan Alteration, adopted December 2002	Saved policies of the Local Plan 1995 address a wide range of development management issues that include a number of environmental issues. Saved policies of the Local Plan Alteration 2002 provide for the development of sites for housing.	The SPD supports these saved policies. The plans were produced before the introduction of the current appropriate assessment regime. The saved policies were produced many years ago before current national planning policy but remain broadly in conformity. The application of the saved policies is informed by national policy and legislation. As such it is not likely to cause any significant effects in combination.
Huntingdonshire Wind Energy Developments SPD, adopted June 2014	The SPD was produced to help with the process of determining planning applications for wind turbines development.	As such it is not likely to cause any significant effects in combination.
Huntingdonshire Developer Contributions SPD, adopted December 2011	This SPD was produced to support the process of setting out how infrastructure requirements will be sought through planning obligations (currently CIL and Section 106s).	As such it is not likely to cause any significant effects in combination.

Relevant Plan	Brief overview and outline of policy	Comments
Huntingdonshire Landscape and Townscape Assessment SPD, adopted June 2007	This SPD provides policy guidance on undertaking landscape and townscape assessments.	As such it is not likely to cause any significant effects in combination.
Other plans and programmes		
Cambridgeshire and Peterborough Local Biodiversity Action Plans	This is made up of a number of Biodiversity Action Plans relating to Habitats and Species. They contain objectives for improving the sustainability of priority habitats and species in farmland, grassland, wetlands, woodlands, and cities, towns and villages and contain broad targets for creating or expanding new habitat.	There are likely to be some positive beneficial effects in combination.
Cambridgeshire Green Infrastructure Strategy, adopted 2011	The provision of Green Infrastructure is identified as a key priority for the successful implementation of sustainable growth.	There are likely to be some positive beneficial effects in combination.

Appendix C: Consultation Responses

Responses to consultation on the draft SPD included responses from the three statutory bodies of Natural England, Heritage England and the Environment Agency. Only the comments from Natural England identified the requirements for screening whether Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) would be required. The comments did not indicate that Natural England were of the opinion that either full SEA or full HRA would be required based on the draft SPD. The final draft has been amended following consultation. However, the amendments are considered to be minor in nature and do not affect either the likelihood of significant environmental effects or to materially change impacts on internationally designated sites.

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Public
Key Decision – Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Corporate Plan 2016/18 mid-term review

Meeting/Date: Cabinet 16 March 2017
Council 29 March 2017

Executive Portfolio: Councillor Robin Howe, Executive Leader

Report by: Adrian Dobbyne, Corporate Team Manager

Ward(s) affected: All Ward(s)

Executive Summary:

The purpose of this report is to update Cabinet on the mid-term review of the Corporate Plan 2016/18.

The Council's Corporate Plan was revised in 2016, comprising of a two year plan outlining the Vision, Strategic Priorities and Objectives for Huntingdonshire District Council. The Plan set out what the council aimed to achieve in addition to the core statutory services.

It was agreed that a 'light touch' review of the Plan would take place in early 2017, to identify whether actions and measures were still fit for purpose i.e. which have been achieved and could be removed, and to consider whether any new actions and measures should be included for 2017/18.

The refreshed plan is still in a draft format awaiting final agreement from Heads of Service and individual Portfolio Holders on actions and measures to be included. The schedule for completion is mid-March prior to submission on 21 March for approval at the Council meeting on 29 March 2017.

Recommendation(s):

That Cabinet provide comment on the draft mid-term review of the Corporate Plan 2016/18.

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 The purpose of this report is to update Members on the draft mid-term review of the Corporate Plan for 2016/18.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Council needs a clear vision with strategic priorities, setting out its objectives and how these will be achieved. The Council's Corporate Plan was reviewed in 2016; it comprises of a two year plan outlining the Vision, Strategic Priorities and Objectives for Huntingdonshire District Council. It was agreed that a refresh would take place early 2017 and Members would be involved with this.
- 2.2 The purpose of the mid-term review is not about creating a new Corporate Plan but providing an opportunity to reflect on whether any changes are necessary. This review provides an opportunity to consider whether any actions or measures have been achieved and should therefore be removed and whether any new actions or measures should be included. It was also an opportunity to consider whether the actions and measures continue to be the right ones. The review took account of whether any changes due to new challenges or new ambitions (Transformation & Devolution) were necessary.
- 2.3 Quarterly performance reporting throughout the year has highlighted areas where actions and PIs could be improved. We have taken into account feedback throughout the year from Heads of Service, Officers who provide data and both Overview & Scrutiny and Cabinet Members.
- 2.4 In addition to reviews undertaken by senior managers and Portfolio Holders, a Task & Finish Group was appointed by the Overview & Scrutiny Panel (Performance & Customers). This group met on 27 February 2017 to review proposed changes and provide their views on alternative or additional actions or PIs. The views of this group were fed back to Heads of Service and Portfolio Holders with all suggestions well received.
- 2.5 All actions and PIs supporting the three Strategic Priorities were examined; proposed changes considered included minor amendment to the wording of some of the objectives, updates to work programme descriptions, removal of a small number of actions or PIs, inclusion of some new actions or PIs or revised descriptions for actions or PIs. Proposals include removal of some actions or PIs because they were complete, not relevant for 2016/17 or no longer considered a useful measure.
- 2.6 This review has been timed to coincide with the development of Service Plans, and where appropriate actions or performance indicators in Service Plans for 2017/18 have been included in the Corporate Plan. Members will continue to monitor progress made against key activities and performance data in the Corporate Plan on a quarterly basis.
- 2.7 The Corporate Plan also provides the high level stage in the "golden thread" that runs from the Plan through Service Plans to individual objectives as set out in Staff Appraisals.
- 2.8 The final version of the refreshed Corporate Plan will be submitted for approval by Council at their meeting on 29 March 2017.

3. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

3.1 The key impact is that everyone in the Council will be clear about the vision and priorities, and have up to date information about the actions and measures to achieve this.

- Officers will be clear about what is important and their role as identified through individual objectives
- Financial Planning will be more clearly linked to corporate planning
- Service Plans will be developed more clearly linked to corporate planning
- Members will know what information they will get and when
- Portfolio Holders will be able to hold Officers to account
- Overview and Scrutiny will have the information they need to hold Portfolio Holders to account

4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

4.1 Following Cabinet final amendments to the Corporate Plan will be agreed by Heads of Service and Portfolio Holders and then submitted for approval by Council. Once adopted, it will be made available to all employees through the Intranet. Members will receive a hard copy and the plan will be published on the Council's website. The key actions and performance indicators in the Corporate Plan will be reported to Overview and Scrutiny, Cabinet and Council. This report will be an integrated report, incorporating financial performance and progress in delivering corporate projects.

5. CONSULTATION

5.1 Senior Management Team and Management Team have been involved in the mid-term review of the Corporate Plan, in consultation with their teams. A Task & Finish Group consisting of Members of Overview & Scrutiny Panel (Performance & Customers) has reviewed proposed changes and all Portfolio Holders continue to be consulted through the relevant Heads of Service.

6. LEGAL IMPLICATIONS

6.1 Not applicable for this report.

7. RESOURCE IMPLICATIONS

7.1 Whilst it is anticipated that there will no resource implications as Service Plans are being prepared for 2017/18 to support the Corporate Plan, any resource issues will be identified.

8. OTHER IMPLICATIONS

8.1 No equality implications have been identified as a result of the mid-term review of the Corporate Plan.

9 REASONS FOR THE RECOMMENDED DECISIONS

9.1 The Corporate Plan provides a clear direction for what we are doing, why we are doing it and what impact it is having. The reviewed Corporate Plan will continue to guide the work of services responsible for delivery of the Council's ambitions over the remaining one year period of the current Council Plan

10. LIST OF APPENDICES INCLUDED

None.

BACKGROUND PAPERS

None

CONTACT OFFICER

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