

A meeting of the **OVERVIEW AND SCRUTINY PANEL (CUSTOMERS AND PARTNERSHIPS)** will be held as a **REMOTE MEETING VIA ZOOM** on **THURSDAY, 4TH MARCH 2021** at **6:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

APOLOGIES

1. MINUTES (Pages 3 - 6)

To approve as a correct record the Minutes of the Overview and Scrutiny Panel (Customers and Partnerships) meeting held on 4th February 2021.

Contact Officer: A Green 01223 752549

2. MEMBERS' INTERESTS

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

3. NOTICE OF KEY EXECUTIVE DECISIONS (Pages 7 - 12)

A copy of the current Notice of Key Executive Decisions is attached. Members are invited to note the Plan and to comment as appropriate on any items contained therein.

Contact Officer: H Peacey 01223 752548

4. URGENT ITEM - CAMBRIDGESHIRE COUNTY COUNCIL HEALTH COMMITTEE

It is proposed to admit this urgent item in accordance with Section 100B (3) and (4) of the Local Government Act 1972. The purpose is to discuss the Panel's representative on the Cambridgeshire County Council Health Committee.

Contact Officer: A Green 01223 752549

5. LETTINGS POLICY REVIEW (Pages 13 - 64)

The Panel are to receive the Lettings Policy Review.

Contact Officer: J Collen 01480 388218

6. LOCAL LETTINGS PLANS - ALCONBURY WEALD AND FUTURE PLANS
(Pages 65 - 70)

A report on the Local Lettings Plans for Alconbury Weald and future plans will be presented to the Panel.

Contact Officer: J Collen 01480 388218

7. OVERVIEW AND SCRUTINY WORK PROGRAMME (Pages 71 - 78)

The Overview and Scrutiny Work Programme is to be presented to the Panel.

Contact Officer: A Green 01223 752549

Dated this 24th day of March 2021



Head of Paid Service

Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests

Further information on [Disclosable Pecuniary Interests and Non - Statutory Disclosable Interests is available in the Council's Constitution](#)

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Please contact Mr Adam Green, Democratic Services Officer (Scrutiny), Tel No. 01223 752549/e-mail Adam.Green@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.

Agenda and enclosures can be viewed on the [District Council's website](#).

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (CUSTOMERS AND PARTNERSHIPS) held as a remote meeting via Zoom on Thursday, 4th February 2021

PRESENT: Councillor D M Tysoe – Chairman.

Councillors T D Alban, S J Criswell, J W Davies, Ms A Diaz, Mrs A Dickinson, D A Giles, Mrs S Smith and Mrs S R Wilson.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors B S Banks and Mrs J Tavener.

IN ATTENDANCE: Councillor Mrs M L Beuttell.

37 MINUTES

The Minutes of the meeting held on 7th January 2021 were approved as a correct record.

38 MEMBERS' INTERESTS

Councillor S J Criswell declared a non-statutory disclosable interest in relation to Minute Number 40 by virtue of being a Member of Cambridgeshire County Council.

Councillor D A Giles declared a non-statutory disclosable interest in relation to Minute Number 40 by virtue of being a Member of Cambridgeshire County Council.

39 NOTICE OF KEY EXECUTIVE DECISIONS

The Panel received and noted the current Notice of Key Executive Decisions (a copy of which is appended in the Minute Book) which had been prepared by the Executive Leader for the period 1st February 2021 to 31st May 2021. Following a query by the Chairman, it was confirmed that the Digital Strategy would be presented to Members after the Core Services Strategy had been finalised and approved.

40 CIVIL PARKING ENFORCEMENT

Consideration was given to a report by the Head of Operations (a copy of which has been appended in the Minute Book) on Civil Parking Enforcement (CPE). Following an introduction by the Executive Councillor for Operations and Environment, Councillor Alban sought reassurance on whether the local constabulary would continue to enforce parking. The Panel were informed that the local constabulary would continue to undertake parking enforcement but that it was likely that requests for enforcement would be made via the Council due to public perception of how enforcement worked. Members were also informed that there was scope for joint enforcement operations, when appropriate.

Councillor Giles asked for clarification of how the money from penalties would be handled. It was confirmed that the Council would put this money towards the service's operating costs. The Council was not legally allowed to make a surplus and, given the rural nature of the District, this was highly unlikely.

Clarification was sought by Councillor Tysoe of how the service would be managed. It was confirmed that for the first two years of operation, the service would remain in-house. After that, an assessment would be made of which model offered best value to the Council. The Panel was reassured that regardless of the structure employed, the same legislative controls would apply.

Following a further question from Councillor Tysoe on whether parking enforcement would take place in the more rural areas of the District, it was confirmed that these areas would receive an appropriate level of service, which would be outlined within the Enforcement Policy. Councillor Criswell welcomed the clarification of parking enforcement for the rural areas of the District.

Councillor Wilson asked whether the Council was acquiring knowledge and experience from similarly profiled local authorities in order to achieve the best service outcomes for the District. The Panel was informed that this was occurring, and that the implementation of CPE was being led by the Head of Operations who had significant experience in this field. In addition, an expert advisor would be appointed to assist with the process.

In response to a question from Councillor Alban on the process for changing the designation of areas, the Panel was informed that the Council would have an agreement from the Highway Authority to enforce the restrictions in existence and that there was no budget for the provision of new restrictions. It was also confirmed that in order to enforce a restriction there would need to be a sign, a line and a traffic regulation order.

Following a discussion on the use of discretion, Councillor Criswell expressed the view that it was important for Civil Enforcement Officers to adhere to the law in order to be consistent. It was confirmed that this would be reflected within the future Enforcement Policy and appeal procedure. In conclusion, the Panel welcomed the proposal to introduce CPE and

RESOLVED

that the Cabinet be encouraged to endorse the recommendations contained within the report.

41 ELECTRIC VEHICLE CHARGING

By means of a report by the Head of Operations (a copy of which is appended in the Minute Book) proposals relating to electric vehicle charging were considered by the Panel. Members were informed that the Council was reviewing what charging points could be installed based on existing power supply. The Panel was recommended to support option 3, in which the Council would offer a charging service at the rate of £0.29 per kWh.

Following a question from Councillor Alban on whether the number of charging points would meet the demand, the Panel was informed that the number of charging points proposed was based on the results of a survey. It was explained that the proposal was proportionate and would involve installing a prudent number of points and monitoring usage.

Councillor Alban then queried whether the Council could work with Town and Parish Councils in order to install electric vehicle charging points on their property. It was explained that the Council did not have the necessary in-house expertise to do this but could put Town and Parish Councils in contact with the experts that worked with the Council on the proposal.

In response to Councillor Dickinson's question on the company the Council was using, it was explained that consideration was being given to procuring an operator to provide the power supply as well as the charging points.

Following a question from Councillor Wilson, it was confirmed that car parking charges were applied to those vehicles occupying the electric vehicle charging bays in addition to electric vehicle charging fees. It was also confirmed that electric charging bays would be the same size as regular bays.

The Chairman asked about the tariff options identified. In response the Panel was informed that the proposed tariff would ensure there would be enough income to recover all capital and operational costs in a suitable timescale. Having expressed support for the proposals and the preferred tariff of option 3, it was

RESOLVED

that the Cabinet be encouraged to endorse the recommendations as outlined within the report.

42 OVERVIEW AND SCRUTINY WORK PROGRAMME

With the aid of a report by the Democratic Services Officer (Scrutiny) (a copy of which is appended in the Minute Book) the Overview and Scrutiny Work Programme was presented to the Panel.

Chairman

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NOTICE OF EXECUTIVE KEY DECISIONS INCLUDING THOSE TO BE CONSIDERED IN PRIVATE

Prepared by: Councillor R Fuller, Executive Leader of the Council
Date of Publication: 17 February 2021
For Period: 1 March 2021 to 30 June 2021

Membership of the Cabinet is as follows:-

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Agenda Item 3

<p>Councillor J A Gray</p> <p>Executive Councillor for Finance and Resources</p>	<p>Vine Cottage 2 Station Road Catworth Huntingdon PE28 OPE</p> <p>Tel: 01832 710799 E-mail: Jonathan.Gray@huntingdonshire.gov.uk</p>
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Notice is hereby given of:

- Key decisions that will be taken by the Cabinet (or other decision maker)
- Confidential or exempt executive decisions that will be taken in a meeting from which the public will be excluded (for whole or part).

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Agendas may be accessed electronically at the [District Council's website](#).

Formal notice is hereby given under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that, where indicated part of the meetings listed in this notice will be held in private because the agenda and reports for the meeting will contain confidential or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. See the relevant paragraphs below.

Any person who wishes to make representations to the decision maker about a decision which is to be made or wishes to object to an item being considered in private may do so by emailing Democratic.Services@huntingdonshire.gov.uk or by contacting the Democratic Services Team. If representations are received at least eight working days before the date of the meeting, they will be published with the agenda together with a statement of the District Council's response. Any representations received after this time will be verbally reported and considered at the meeting.

Paragraphs of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) (Reason for the report to be considered in private)

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the Financial and Business Affairs of any particular person (including the Authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations that are arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the Authority proposes:-
 - (a) To give under any announcement a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an Order or Direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN.

- Notes:-
- (i) Additions changes from the previous Forward Plan are annotated ***
 - (ii) Part II confidential items which will be considered in private are annotated ## and shown in italic.

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Community Chest Grant Aid Awards 2020/21	Grants Panel	3, 17 & 31 March 2021		Claudia Deeth, Community Resilience Manager Tel No: 01480 388233 or email: Claudia.Deeth@huntingdonshire.gov.uk		S Bywater & J Gray	Customers and Partnerships
Community Infrastructure Levy Spend Allocation***	Cabinet	18 Mar 2021		Clara Kerr, Service Manager - Growth Tel No: 01480 388430 or email: Clara.Kerr@huntingdonshire.gov.uk		J Neish	Performance and Growth

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Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Cambridgeshire and Peterborough Combined Authority Accelerated Towns Programme	Cabinet	18 Mar 2021		David Edwards, Corporate Director (Interim) Tel No: 07768 238708 or email: David.Edwards@huntingdonshire.gov.uk		R Fuller	Performance and Growth
Local Lettings Plans - Alconbury Weald and future plans	Cabinet	18 Mar 2021		Jon Collen, Housing Needs and Resource Manager Tel No: 01480 388218 or email: Jon.Collen@huntingdonshire.gov.uk		R Fuller	Customer and Partnerships

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Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private (paragraph no.)	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Lettings Policy Review	Cabinet	18 Mar 2021		Jon Collen, Housing Needs and Resource Manager Tel No: 01480 388218 or email Jon.Collen@huntingdonshire.gov.uk		R Fuller	Customers and Partnerships

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Lettings Policy Review

Meeting/Date: Overview and Scrutiny Panel (Customers and Partnerships) – 4th March 2021

Executive Portfolio: Executive Councillor for Housing and Economic Development

Report by: Housing Needs and Resources Manager

Wards affected: All

RECOMMENDATION

The Overview and Scrutiny Panel is invited to comment on the Cabinet report attached at Appendix A regarding amendments to the Council's Lettings Policy.

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Lettings Policy Review

Meeting/Date: Cabinet – 18th March 2021

Executive Portfolio: Executive Councillor for Housing and Economic Development

Report by: Housing Needs and Resources Manager

Wards affected: All

Executive Summary:

The Council's Lettings Policy provides the legal allocations framework as to who is accepted onto the register, how the register is administered and how the majority of social rented housing in the district is let.

The policy must be reviewed and amended periodically, including making necessary changes in light of new legislation, new statutory guidance or precedents and rulings made in the Courts.

The policy forms the basis for how the Home-Link scheme operates, the scheme whereby residents apply to the housing register and bid on the social rented properties becoming available. The scheme spans six local authorities and the stock holding housing associations across those areas. The policy has been reviewed by the scheme's partners with a small number of minor changes being identified. Each of the local authority partners must now take the revised policy through their Member processes for formal adoption.

Recommendation(s):

That Cabinet is:

RECOMMENDED

To approve the amended Lettings Policy, attached as Appendix 1 to the report.

1. PURPOSE OF THE REPORT

- 1.1 As the local Housing Authority, the Council is required by law to have an allocations scheme for determining priorities in the allocation of social rented housing. The Lettings Policy is the Council's allocations scheme.
- 1.2 Although the Council is no longer a stock holding authority it has a housing register of people wishing to be considered for the allocation of social rented housing and a choice based lettings scheme (the Home-Link scheme) which is the vehicle for letting the majority of these properties in the district. The Lettings Policy dictates how the housing register and the letting of properties operates and the six partner local authorities within the Home-Link scheme each operate a Lettings Policy that follows the same broad principles.
- 1.3 The purpose of this report is to advise of necessary changes to the Lettings Policy in light of new legislation and recent caselaw relating to allocation schemes. The proposed amendments to the Policy are to ensure that it minimises the risk of legal challenge.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 It is good practice to periodically review the policy to ensure that it continues to meet its intended aims although most reviews take place as a result of changes in legislation or caselaw rulings where the legality of a lettings policy has been challenged. The last review of the policy and the amendments were driven by the introduction of the Homeless Reduction Act (HRA) and new data protection regulations introduced in 2018. The changes at that stage were not considered to be major and so a full consultation exercise with customers and wider partners was not carried out.
- 2.2 The partnership agreed at that time to review whether there was any impact from the introduction of the HRA on the letting of social housing across the area. The review would also include a full consultation. This is what has prompted the current review.

3.0 THE REVIEW PROCESS AND WHAT IT HAS HIGHLIGHTED.

- 3.1 Representatives from the local authority and housing association partners have participated in and contributed to the review process. It included looking at recent caselaw rulings, judgements made by the Ombudsman, amendments to the relevant Codes of Guidance published by Government and commitments made through other avenues such as the Military Covenant. The opportunity was also taken to clarify areas of the policy where there may have been some ambiguity contributing to differences in interpretation of the policy by partners.
- 3.2 There are two specific changes in policy being proposed:

Armed Forces - Ex Partners/Spouses

It is proposed that ex-partners/spouses of armed forces personnel receive the same priority that we give their former partners where they must move out of a Ministry of Defence property due to a relationship breakdown. This change is to ensure the partnership is compliant with the requirements of the Military Covenant.

Local connection through employment

The employment criteria has been changed to clarify where certain types of work may count towards a local connection. For example, someone would be considered to be employed in the area if they are on a zero hours contract and can demonstrate that they have consistently worked more than the 16 hours per week minimum threshold over a reasonable period of time.

- 3.2 There are numerous other areas of the policy where wording changes are being suggested for clarification purposes that do not change the policy intention. These include amongst others:

Multiple Applications

We have clarified the wording around multiple applications to explain that an applicant can have only one active application on the housing register at any time where they are the applicant or joint applicant. They may however be considered on other applications where they are eligible to be considered as part of another applicant's household, for example where living with a parent.

Sufficient Financial Resources

The revised policy also offers greater clarity on how applications from those considered to have sufficient financial capital or other means to find an alternative housing solution would be assessed. An assessment of 'sufficient financial means' will override the priority band needs assessment placing them below others without financial means, even if they fall within one of the reasonable preference categories.

4.0 COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

5.0 KEY IMPACTS / RISKS

- 5.1 As the suggested amendments to the Policy are minor there are no risks associated with these changes.

6.0 WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 6.1 Each of the Home-Link partners are taking the revised Lettings Policy through their Member processes in order for it to be adopted. This will be

completed in March & April, with the Home-Link Management Board then setting a date for the formal introduction of the Policy by the partnership.

7.0 LINK TO THE CORPORATE PLAN

7.1 Supporting people to improve their health and well-being by meeting the housing and support needs of our population is a strategic priority of the Council. By keeping our Lettings Policy up to date with both legal requirements and government policy this will enable us to provide the most appropriate advice and assistance to customers wishing to apply to the housing register and access social rented housing.

8.0 CONSULTATION

8.1 The Council, together with the wider Home-Link partner local authorities, has consulted applicants on the housing register, the housing associations with stock within the sub region area and partner organisations about these changes, with the majority of respondents being supportive of the proposed amendments.

8.2 In total 623 responses were received from across the sub region. The majority of the responses (305) were from existing applicants, although a range of people replied including Home-Link partners and representatives from interested organisations such as the Probation Service and Domestic Abuse support services.

8.3 Respondents were asked whether they agreed with each of the stated policy objectives. In all at least 79.9% of respondents agreed with each stated objective, suggesting that there should be no change to those objectives already in place.

8.4 Overall, there were high levels of agreement for the proposed amendments. As a result, the policy consulted on remained unchanged with the exception of some further, minor wording changes relating to the support of those experiencing domestic abuse.

9.0 LEGAL IMPLICATIONS

8.1 The Home-Link partners have sought legal opinion about the proposed Lettings Policy changes and have been advised that they will ensure the policy remains legal in light of the legislation and recent caselaw precedents.

9. RESOURCE IMPLICATIONS

9.1 There are no resource implications associated with this report.

10. REASONS FOR THE RECOMMENDED DECISIONS

10.1 The Lettings Policy must be amended in light of new legislation and statutory guidance. This report recommends the necessary changes to ensure that the Lettings Policy remains legal and minimises the risk of legal challenge.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – HDC's Lettings Policy

CONTACT OFFICER

Name/Job Title Jon Collen – Housing Needs & Resources Manager
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Email: Jon.Collen@huntingdonshire.gov.uk

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Huntingdonshire District Council

LETTINGS POLICY

This document sets out how Huntingdonshire District Council, in partnership with Registered Providers with properties in the district, will allocate their properties through the “Home-Link scheme”

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Chapter 1

1.1 Introduction

1.1.1 This is the Lettings Policy for the Council, which is a member of the Home-Link choice based lettings scheme, which covers the Cambridgeshire and West Suffolk area. The partner organisations to the Home-Link scheme are:

- a) Cambridge City Council
- b) East Cambridgeshire District Council
- c) Fenland District Council
- d) Huntingdonshire District Council
- e) South Cambridgeshire District Council
- f) West Suffolk Council

1.1.2 The Home-Link scheme and this lettings policy were designed through collaboration between the partner organisations listed above, with the aim of having as much consistency in the letting of social housing as is possible in a very diverse area. The lettings policy aims to ensure that all people seeking social housing in the Council area can exercise choice in deciding where they wish to live and in the type of property they would prefer.

1.1.3 The policy enables the Council to consider the individual needs of its applicants whilst making best use of the scarce resource of housing stock. The policy sets out:

- a) How to apply for housing.
- b) Who will qualify to be accepted onto the housing register.
- c) How priority for housing applicants will be given.
- d) What the decision-making processes are.
- e) How homes will be let.

1.1.4 You may view this lettings policy, at the Council's website, or request a copy from any of the partner organisation's offices. (See Appendix 1 on p.34)

1.2 Objectives of the lettings policy

- a) To meet the legal requirements for the allocation of social housing as set out in the Housing Act 1996 (as amended)
- b) To assist applicants in the highest assessed need
- c) To let properties in a fair and transparent way and provide a consistent lettings process
- d) To make best use of housing stock
- e) To ensure that applicants are not unlawfully discriminated against, whether directly or indirectly
- f) To support vulnerable applicants
- g) To provide increased choice and information to applicants
- h) To provide information and feedback on homes that are let through the Home-Link scheme
- i) To improve mobility across the Cambridgeshire and West Suffolk
- j) To promote social inclusion and help achieve sustainable communities
- k) To meet the legal requirements set out under the legislation and guidance referred to in Section 1.4

1.3 Statement on choice

- 1.3.1 The Council is fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need in the Council.
- 1.3.2 The Home-Link scheme enables applicants from the Council's area to have access to a percentage of available homes from all the partner organisations across Cambridgeshire and West Suffolk.

1.4 Legal context

- 1.4.1 All applicants for housing will be assessed to determine their eligibility to be placed on the housing register. This is to ensure homes are let to those in the highest assessed need and ensures that the council meets its legal obligations as set out in the Housing Act 1996 (as amended).

This policy has also had regard to:

- a) Allocation of accommodation: guidance for local housing authorities in England, and
 - b) The Public Sector Equality Duty, and
 - c) Section 17 of the Crime and Disorder Act, and
 - d) The Council's Homelessness Strategy, and
 - e) The Council's Tenancy Strategy (containing details of the types of social rented tenancies that may be offered by housing association landlords).
 - f) Any future legislative obligations which partners share. If there are future changes, the partnership will review the legal context of this Policy.
- 1.4.2 The law states that there are five groups of applicants where reasonable preference must be considered:
- a) People who are homeless (within the meaning of Part VII (7) of the Housing Act 1996 (as amended))
 - b) People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
 - c) People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - d) People who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)

- 1.4.3 The lettings policy has been designed to ensure applicants who fall into the above reasonable preference categories will be awarded reasonable preference.

1.4.4 Every application received by the Council will be considered according to the facts unique to that application as the Council recognises that every applicant's situation is different. Applications will be considered on an individual basis and individual circumstances will be taken into account. However, all lettings will be made in accordance with this lettings policy. Where individual circumstances are not covered by the on-line application form, applicants should contact the partner to whom they are applying to discuss their application so that all relevant facts can be considered fully.

1.5 Equal opportunities and diversity

1.5.1 The lettings policy will be responsive, accessible and sensitive to the needs of all by having regard to the protected characteristics in the Equality Act 2010.

The Council is committed to promoting equality of opportunity and will ensure that all applicants are treated fairly and without unlawful discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In addition, the Council is committed to the aims of the Public Sector Equality Duty (2011):

- a) Removing or minimising disadvantages suffered by people due to their protected characteristics
- b) Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- c) Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Council also has due regard to the commitments made in Article 14 of the Human Rights Act (1998) as it relates to the service provided.

1.6 The welfare of children

1.6.1 The Council will ensure that decisions made under this lettings policy have regard to the need to safeguard and promote the welfare of children taking into account Section 11 of The Children's Act and the Public Sector Equality Duty.

1.6.2 The Council will also have regard to the Children and Social Work Act 2017 as relates to the local arrangements for safeguarding and promoting welfare of children.

1.7 The welfare of adults

1.7.1 The Council will also have regard to the Care Act 2014, which includes provisions for adults at risk of abuse or neglect.

1.8 Monitoring and reviewing the lettings policy

- 1.8.1 The Council will monitor the operation of the lettings policy by regularly reviewing the policy to ensure that it meets its stated objectives and complies with legislative changes.

Chapter 2

2.1 How to apply for housing

- 2.1.1 The on-line form can be completed at www.home-link.org.uk. A paper form, if required, can be requested from the Council and they can also offer assistance to complete the form if needed.
- 2.1.2 An applicant may include anyone on their application who may reasonably be expected to live with them as part of their household. The Council reserves the right to decide who can reasonably be expected to reside in an applicant's household.
- 2.1.3 Where two applicants wish to have a shared application they will be known as joint applicants. Although adults who are not partners and need more than one bedroom may jointly apply to the register, due to the level of demand for family sized accommodation from family households (by "family" we mean households that have children (under 18) who are dependent on the adult(s)) they will not normally be prioritised for an offer of this size of accommodation ahead of families.
- 2.1.4 On receipt of the application the Council will assess this and will request additional information and supporting evidence so that the applicant's eligibility and housing need can be confirmed. The Council will verify the information provided which may include inviting the applicant for an interview or visiting them at home.
- 2.1.5 Applications will only be accepted onto the register where:
- a) The applicant is eligible for an allocation of social housing (see Chapter 3); and
 - b) The applicant qualifies for an allocation of social housing. (See sections 3.2 to 3.4).
- 2.1.6 After assessment the Council will write to applicants to inform them whether they have been accepted onto the housing register, or give reasons if they have not. Where accepted they will be informed of:
- a) Their unique reference number, which allows them to bid for homes through the Home-Link Scheme
 - b) The housing needs band in which the application has been placed
 - c) The date that the application was placed in the band (the "date in band")
 - d) The size of property for which the applicant is likely to be able to bid

If they have not been accepted onto the housing register the Council will set out the reasons for this decision and will provide information about the review process (see Chapter 6).

2.2 Date of registration

- 2.2.1 The registration date of an application will be the date the on-line housing application form is received electronically, or if a paper application is

submitted, the date it is received at the office of the Council, or any of the partner organisations.

2.3 Date in band

2.3.1 The principle of the policy is that normally no applicant should overtake existing applicants in a band. Therefore, applicants will be placed within a band in date order.

- a) **New applications:** the date in band will be the same as the applicant's date of registration.
- b) **Change of circumstances which results in a higher band assessment:** the date in band will be the date the applicant provides evidence of the change of circumstances leading to the award of a higher priority band.

2.3.2 When applicants move down bands due to a change in their circumstances the following applies:

- a) **Returning to a band in which they were previously placed:** the date in band reverts to the date that applied when the applicant was previously in that band.
- b) **Moving into a lower band in which they have not previously been placed:** the date in band will be the date that the application was first placed into a higher band. In most circumstances, this is likely to be their date of registration.

2.4 Armed Forces personnel – date in band

2.4.1 Additional priority will be awarded to the following categories of people:

- a) serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- b) former members of the regular forces
- c) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- d) existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

2.4.2 Additional priority will be awarded to the above categories of people by awarding their application the appropriate priority band, as set out in this lettings policy, and backdating their date in band by the total cumulative period of their length of military service (including where they have made a homeless application). This will have the effect of raising their priority above applicants in similar circumstances who have not undertaken military service.

This additional priority is awarded to meet the expectations set out in the Armed Forces Covenant and national guidance.

- 2.4.3 Current members of the Armed Forces may also request that this additional priority be applied to their housing application six months prior to the date when they are due to leave military service. Appropriate evidence of the end to military service will be required.

2.5 Multiple applications

2.5.1 An applicant can have only one active application on the housing register at any time where they are either the applicant or joint applicant. They may however be considered on other applications where they are eligible to be considered as part of another applicant's household, for example where living with a parent and included as part of their application. In exceptional cases, such as those involving violence or abuse, the council can decide to permit a second application.

2.6 Change of circumstances

2.6.1 Where an applicant registered with the Council has a change in their circumstances they must promptly inform the Council. Applicants can complete a change of circumstances on-line at www.home-link.org.uk or obtain a change of circumstances form from any partner organisation, but this must then be sent to the partner organisation who is managing their application. Change of circumstances received by the Council will be assessed based on the new circumstances. Examples of change of circumstances where a form must be completed are detailed below, although this list is not exhaustive:

- a) Change of address
- b) People joining or leaving the household
- c) Relationship breakdown
- d) Change to the medical circumstances of anyone included on the application

For the examples detailed below, applicants may not need to complete a change of circumstances form, but must contact the Council, who will advise what documentation/evidence is required:

- a) Pregnancy/birth of a child
- b) Death of a household member
- c) Death of a joint applicant
- d) Change of income and/or capital

2.7 Applicant's consent and declaration

2.7.1 When an applicant applies for housing, they will be required to confirm their understanding of, or sign a declaration to confirm that:

- a) The information they have provided is true, accurate and complete.
- b) They will promptly inform the Council of any change in circumstances.
- c) They understand that information will be shared with all the partner organisations.
- d) They consent to the Council making enquiries of any relevant persons to confirm the information on the application form is correct.

- e) They consent to the release of any relevant information either to the Council held by third parties, or by the Council to third parties.
- f) The information provided may be used to help in the detection and prevention of fraud.

2.7.2 The Council may take legal action against applicants who withhold or provide false information regarding their housing application. Where an applicant has been let a property as a result of providing false information, their landlord may take court action to obtain possession of the property.

2.8 Data protection

2.8.1 The Council's policy on General Data Protection Regulations is available on request and can also be found online at the Council's website.

2.9 Application review

2.9.1 Every year on the anniversary of an application being received, we will write to the applicant to see if they still wish to be on the housing register and ask them to update their application if there have been any changes to their circumstances. If there is no response within the required time limit, (28 days from the letter/email being sent) the application will be cancelled. We will write to the applicant to notify them of this. If an applicant contacts the Council within 28 days of their application being cancelled and indicates that they still want to be considered for housing, the application will be reinstated from their last applicable date in band (see s.2.3 above).

2.10 Cancelling an application

2.10.1 An application will be cancelled from the housing register in the following circumstances:

- a) At the applicant's request.
- b) If the applicant becomes ineligible for housing (see s.3.2).
- c) If the applicant no longer falls within a qualifying class of applicant (see s.3.3).
- d) When the applicant has been housed through the lettings policy.
- e) When a tenant completes a mutual exchange.
- f) Where an applicant does not maintain their application through the review process, or where they move and do not provide a contact address.
- g) Where the applicant has died.

2.10.2 When an application is cancelled, we will write to the applicant or their representative to notify them. Where an applicant has been highlighted as vulnerable, the Council will contact the applicant to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision, (see Chapter 6).

2.10.3 Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply.

Chapter 3

3.1 Who can be accepted onto the housing register?

- 3.1.1 The Council can allocate housing to anyone who qualifies for an allocation if they are not ineligible under the Housing Act 1996 section 160ZA.
- 3.1.2 The Council cannot allocate housing to two or more persons jointly if one of them is ineligible.

3.2 Eligible applicants

- 3.2.1 The Council is required, by law, to decide that certain applicants are ineligible for an allocation of social housing. Eligibility can change with a change of immigration status and therefore the Council will keep an applicant's eligibility for housing under review. Applicants are responsible for informing the Council of any change in their immigration status.
- 3.2.2 Applicants whose immigration status makes them ineligible to be considered on the register will be notified in writing of the decision and the reason for the decision. If an applicant is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the applicant notified. Applicants found to be ineligible have a right to ask for a review of the decision (see Chapter 6).
- 3.2.3 Where an eligible applicant includes people who are ineligible as part of his or her household the council can, in deciding who forms part of the applicant's household for the purposes of housing allocation:
 - a) Have regard to the fact that members of a person's household would not be eligible for accommodation in their own right.
 - b) Have regard to the fact that an ineligible person is not permitted to have recourse to public funds.
 - c) Conclude that an ineligible person does not form part of the household when assessing priority.

3.3 Qualifying categories of applicants

- 3.3.1 Cambridgeshire and West Suffolk are areas where the demand for social housing far exceeds the supply. For this reason only those applicants who meet the local connection criteria will qualify to join the housing register (see s.3.4).
- 3.3.2 Applicants will not qualify to join the housing register if they are considered to be unsuitable to be a tenant because of unacceptable behaviour (see s.3.5).

3.4 Connection to the local area criteria

- 3.4.1 An applicant will be considered to have a connection with the Council area and accepted onto the housing register if they meet one of the following criteria:

- a. The applicant is in full time or part time employment in the Council district for sixteen hours or more per week. See Section 3.4.2 below for further details; or
- b. The applicant has lived in the local authority area for at least 6 of the last 12 months, or 3 of the last 5 years; or
- c. The applicant has family members who have been resident in the local authority area for a period of 5 years or longer and are currently resident in the local authority area. Family members are defined as parents, adult sons and adult daughters or brothers or sisters. Other family associations will be considered on a case by case basis; or
- d. The applicant is owed a main housing duty under the s.193 (2) or 193C (4) of the relevant homelessness legislation by the Council; or
- e. The applicant is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act; or
- f. The applicant will cease to be entitled to reside in accommodation provided by the Ministry of Defence following:
 - i. the death of that person's spouse or civil partner where the spouse or civil partner has served in the regular forces; and their death was attributable (wholly or partly) to that service; or
 - ii. divorce or separation from a spouse or civil partner where the spouse or civil partner is a member of the regular forces; or
- g. The applicant is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service; or
- h. The applicant is a "relevant person" as defined by Regulation 4 of the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015; or
- i. The applicant or a member of the applicant's household needs to move away from another area to escape violence or harm; or
- j. The applicant is a care leaver from the County who has been placed (by Children's Services) outside the Council area; or
- k. There are special circumstances that the Council considers give rise to a local connection.

3.4.2 Applicants will be considered to have employment in the Council district and therefore may meet the local connection criteria if:

- a) They are in paid full or part time permanent employment for 16 hours or more per week and their actual working location is within the district; or
- b) They are working within the district on a temporary or zero-hour employment contract that has been in place for at least 6 months and can demonstrate they have worked at least 16 hours per week since starting the employment contract; or

- c) Self-employed applicants are required to demonstrate that their permanent base of operations is within the District, even if their work requires them from time to time to work outside of the district; or
- d) The employment must be the actual place of work in the district and not employment based on a head office or regional office situated in the district but from which they do not work.

The Council reserves the right to waive the 16 hour requirement if necessary to avoid discrimination.

3.4.3 Applicants who are in one of the reasonable preference groups, but with none of the connection to the local area criteria above, may be eligible to join the register. Anyone who believes this applies to them should contact the Council directly to discuss their circumstances.

3.5 Applicants with a history of unacceptable behaviour

3.5.1 Where an applicant or a member of their household has a history of behaviour which in the opinion of the Council is unacceptable and makes the applicant unsuitable to be a tenant the Council may decide that the applicant does not qualify to be accepted onto the housing register. Unacceptable behaviour can include (but is not limited to) domestic or other abuse, harassment, anti-social behaviour, drug dealing or other criminal activity, failing to maintain or repair their home or associated garden or garage, noise nuisance or tenancy related debt.

3.5.2 When considering whether an applicant with a history of unacceptable behaviour qualifies to be accepted on the housing register, the Council will consider the nature of the behaviour, when it took place, the length of time that has elapsed since and whether there has been any change in circumstances which would show that the applicant or member of the applicant's household had amended their behaviour so that they are considered suitable to become a tenant. In addition, any extenuating circumstances, such as coercion or harassment, will be taken into account as well as any possible risks to others arising from a register exclusion.

3.5.3 If the Council decides that an applicant does not qualify to be accepted on the housing register because the applicant or a member of their household has a history of unacceptable behaviour that makes them unsuitable to be a tenant, the applicant will be informed in writing of this decision and the reasons for the decision. They will also be informed how they can become a qualifying person, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by the applicant showing that the circumstances or behaviour that made them unsuitable to be a tenant, has changed.

3.5.4 If an applicant is accepted onto the register but a change in their behaviour means that they are no longer a qualifying person, their housing application will be removed and the applicant will be notified in writing of this decision and the reasons for the decision.

3.5.5 Applicants considered as not qualifying due to unacceptable behaviour have a right to ask for a review of the decision (see Chapter 6).

3.6 16 and 17 year olds

- 3.6.1 Anyone aged 16 or over can apply for housing. However, until the applicant reaches 18 years old any offer of accommodation will be subject to appropriate guarantor or trustee arrangements being in place. The guarantor could be a family member, adult friend, or a professional body. Applicants under 18 years old will be referred to a housing officer for advice regarding their housing rights and options.

Chapter 4

Assessment of housing need

4.1 Legal background

- 4.1.1 All eligible and qualifying applicants will be placed in a housing needs band following an assessment of their household's needs. This is to ensure that the Council meet their legal obligations as set out in the Housing Act 1996 (as amended).

4.2 Advice and information

- 4.2.1 The Council will ensure that advice and information on how to apply for housing in the Council area is available free of charge to everyone. If applicants are likely to have difficulty in making an application without assistance, then the council will make any necessary assistance they require available.

4.3 Assessment of housing need

- 4.3.1 Assessments of housing needs are based on an applicant's current housing circumstances. Assessments will be completed by housing officers of the Council. Medical assessments will be made by a medical professional or appropriately trained officer.

Where an adverse decision about an application is made by any of the Home-Link partners, any duplicate applications to another partner's housing register will have due regard to that original decision. Because the Home-Link partners use the same assessment criteria for housing applications, original decisions will only be overturned in exceptional circumstances following an assessment. The original partner applied to will be contacted to discuss the decision and the decision will generally apply to any new application when sufficient information has been received.

Any new or additional information not available for the original decision will be considered by the Home-Link partner to assess any impact on the decision.

4.4 Local lettings criteria

- 4.4.1 To ensure local housing needs are met, 90% of properties advertised through the Home-Link scheme will be labelled as available to applicants with a connection to the Council. 10% of advertised properties will be open to bidding from applicants with a connection to any of the Home-Link partner organisations. 25% of new growth homes will be made available for cross boundary moves. The relevant local area connection requirement will be clearly labelled on the property advert.
- 4.4.2 Where a property has local area connection criteria attached to it through a local lettings plan or s.106 agreement, then these properties will be let in line with the criteria within the lettings plan or the s.106 agreement. This

may differ from the connection to the local area criteria contained within this lettings policy and will be mentioned in the property advert.

4.5 Housing needs bands

4.5.1 Eligible and qualifying applicants will be placed in one of the following four bands in date order. Applicants placed in Band A will have the highest assessed need, Band D the lowest. When an applicant is placed in a housing needs band the same level of priority will apply with all partner organisations in the Home-Link scheme.

4.5.2 Any applicants accepted on to the housing register under section 3.4.3 of this policy (in a reasonable preference group but not meeting the connection to the local area criteria), will be placed in band C. However, they will only be considered for a property after any applicants in that band who have a proven connection with the local area.

4.6 Band A: Urgent need

Applicants with the following circumstances will be placed into Band A:

a) Urgent transfer

Where an existing council or housing association tenant needs to move urgently because of circumstances that could include:

- a) Major repairs are required on the property in which they live and which cannot be undertaken with the tenant living in the property.
- b) The property is being demolished.
- c) Urgent social need to move.

b) Current supported housing resident

Applicants leaving Social Services care or other supported accommodation, and are ready to move to a permanent home of their own. This will be subject to the Council, Social Services (where applicable) and the landlord of the supported accommodation agreeing that the applicant is ready to move to their own home. If the applicant needs an on-going support package to allow them to live independently, confirmation that this will be put in place will also be required from the proposed support provider. The date that this priority is awarded (date in Band A) will be the date that the resident is ready to move to independent living, as recommended by their support worker.

The decision to apply this priority will be made by the relevant decision-making process in the district where the supported housing is based.

c) Urgent health and safety risk

The condition of the applicant's current accommodation has been assessed by the Council or a partner organisation as posing an urgent health and safety risk. This will apply where the assessment has classified the accommodation as unsafe, or where there is a risk of imminent harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the

applicant or a member of the applicant's household who will continue to live with them.

d) Urgent medical need

An urgent medical priority will be awarded where the assessment concludes that the applicant or household member has a severe medical condition or disability that is made substantially worse by their current housing. This would include people whose life is at risk due to their current housing conditions or who are completely housebound because of the type of accommodation in which they live..

Priority will be given depending on how unsuitable the current accommodation is in relation to their medical or disability needs. The assessment is not purely based on the applicant's health conditions.

The following are only examples of circumstances that **may** qualify (but not in all circumstances) for an urgent medical need award:

- Those who, on leaving hospital, either have nowhere to live or have somewhere to live but it is unsuitable for their medical needs and cannot be made suitable through adaptations
- Those who have somewhere to live but it is unsuitable for their medical needs and cannot be made suitable through adaptations because of cost effectiveness, structural difficulties or the property cannot be adapted within a reasonable amount of time. Applicants will be individually assessed
- Where an applicant's condition is life threatening and the existing accommodation is a major contributory factor
- Where an applicant's health is so severely affected by the accommodation that it is likely to become life threatening
- Disabled persons (as defined under the Equality Act 2010) who have restricted or limited mobility and are limited by their accommodation and unable to carry out day to day activities or have difficulties accessing facilities e.g. bathroom, kitchen, toilet, inside and outside of their accommodation safely and the current accommodation cannot be reasonably adapted

e) Lacking two or more bedrooms

The household is assessed as lacking two or more bedrooms (see s.5.4).

f) Under-occupancy by two or more bedrooms or release of adapted property

Where an existing council or housing association tenant:

- a) Is assessed as having two or more bedrooms that are not required by the household (see s.5.4).
- b) Where a property has been adapted and the adaptations are no longer required. For example, if the person requiring the adaptations has moved or died.

g) Homeless households (Main homelessness duty owed under s.193 (2) of the Housing Act 1996 as amended)

Where the Council has accepted a duty under s193 (2) of the Housing Act 1996 (as amended) and this duty has not been brought to an end.

The date in band will be the date that the applicant approached the Council for housing assistance and a Prevention or Relief Duty was triggered.

h) Urgent multiple needs

This priority will be applied where an applicant is assessed as having two or more Band B needs. This may include an application where two household members have the same assessed need e.g. two high medical needs.

For multiple needs in Band A please see 'emergency housing status' (see Chapter 5)

4.7 Band B: High need

Applicants with the following circumstances will be placed into Band B:

a) High health and safety risk

The condition of the applicant's current accommodation has been assessed by the Council or a partner organisation as posing a high health and safety risk to them or members of their household. This will apply where the assessment has identified that the applicant is living in a property, the condition of which places them or members of their household at a high risk of harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household who will continue to live with them.

b) High medical need

A high medical priority will be awarded where the assessment concludes that the applicant or household member has a serious medical condition or disability that is made substantially worse by their current housing, but who are not housebound or whose life is not at risk due to their current housing. However, their housing conditions directly contribute to causing serious ill health and the condition of the property cannot be resolved within a reasonable period of time.

Documentary evidence will be required. Circumstances will be assessed and may need to be referred to a relevant health care professional. The following are only examples of cases that **may** qualify (but not in all circumstances) for a high medical need award:

- The applicant's accommodation is directly contributing to the deterioration of the applicant's health, such as severe chest condition, requiring intermittent hospitalisation because of chronic dampness in the accommodation
- Children with severe conditions such as autism, or cerebral palsy, where their long-term needs cannot be met without suitable accommodation
- A member of the household seeking accommodation is disabled and re-housing will enable that person to overcome physical barriers created by current accommodation e.g. steps and stairs
- A person with a severe disability requiring substantial adaptations to a property which is not, and cannot be provided for in their current accommodation
- A person with a terminal illness or long-term debilitating condition whose current accommodation is not having a significant impact on their condition but

where their quality of life would be significantly improved by moving to alternative suitable accommodation

- A person suffering with a diagnosed mental illness where the medical condition would be significantly improved by a move to alternative accommodation.

c) Lacking one bedroom

This priority will be applied where the household is assessed as lacking one bedroom based on the bedroom calculation in (see s.5.4).

d) Under-occupancy by one bedroom.

This priority will be applied where an existing council or housing association tenant is assessed as having one bedroom more than required by the household (see s.5.4).

e) Victims of harassment, violence or abuse

Where the Council or a partner organisation has identified that the applicant or a member of their household is being subjected to harassment or other conduct causing alarm and distress that will be improved by a move to alternative accommodation. Harassment might be, but is not limited to, harassment due to, race, sex, gender reassignment, sexual orientation, mental health, physical disability, learning disability, religion, domestic abuse or harassment by a former partner or associated persons.

The Council will offer advice and support to assist the applicant in identifying possible ways to resolve the situation.

f) Applicants owed a Prevention or Relief duty (under s, 189a or 189B of the Housing Act 1996 (as amended))

Where an applicant is threatened with homelessness within 56 days, the Council will work with the applicant to try and prevent their homelessness. Those applicants who the authority has reason to believe may be in priority need in the event of a main duty assessment and have a local connection, will be placed in Band B whilst the prevention measures are being pursued and the applicants are actively co-operating with the prevention work being done.

Where homelessness prevention has not been possible and an applicant becomes homeless, they will be owed a relief duty. Those applicants who the authority has reason to believe may be in priority need in the event of a main duty assessment and have a local connection, will remain in Band B during this time. Where placed in temporary accommodation by the local authority, applicants will not be awarded additional priority on any other accommodation related factors.

This priority will no longer apply once the prevention and relief duties have ended and applicants will be re-assessed on their circumstances.

g) Sleeping rough

This priority will be applied where it has been confirmed that an applicant is sleeping rough and has no other accommodation available to them. The council will verify that an applicant is sleeping rough before awarding this priority. Rough sleeping priority will not be awarded when accommodation is available to the applicant, including a placement at a direct access hostel, but the applicant chooses not to take up this offer of accommodation. Applicants assessed as 'Sleeping rough' will not be awarded additional priority on any other accommodation related factors. This will apply even when duties have ended as described under Section 4.8 (d).

h) Multiple needs

This priority will be applied where an applicant is assessed as having three or more Band C needs. This may include an application where more than two household members have the same assessed need e.g. three medical needs.

4.8 Band C: Medium need

Applicants with the following circumstances will be placed into Band C:

a) Medium medical need

Medium medical need will be awarded where an applicant has a medical condition or disability that is affected significantly by their housing circumstances, not at a critical or serious impact level but a move would be likely to improve their quality of life.

b) Need to move for social reasons

Where the Council or a partner organisation has assessed the applicant's need to move for social reasons. An applicant will only be awarded this factor once irrespective of the number of social needs that may apply to their situation.

Examples where a social need to move may apply may include where an applicant:

- a) Needs to move to or within an area of the sub-region to give or receive support, and a proven level of support is required and can be given
- b) Has found employment in the Council area and needs to move closer to work, or will otherwise lose their employment, or suffer hardship
- c) Has staying contact with a child/children and is living in accommodation where the child/children are not allowed to stay overnight.
- d) Is living in a first floor or above property and has children less than 10 years of age as part of their household, or is more than 24 weeks pregnant.

c) Housing conditions

This priority will be applied where the applicant/s either lack or share one or more of these facilities with persons, who are not members of their household. Facilities may include:

- a) A living room
- b) Kitchen
- c) Bathroom

d) Other homelessness

Applicants:

- a) Who are owed a Prevention Duty by the council but have been assessed as not having a local connection as set out in this policy.
- b) Who are owed a Prevention or Relief Duty but where the council believe the applicant would be unlikely to have priority need in the event of a Main Duty assessment if the relief duty were to come to an end unsuccessfully, although see 5.2.4.
- c) Where the Relief Duty has come to an end unsuccessfully and the applicant has been determined to be intentionally homeless.
- d) Where the Relief Duty has ended unsuccessfully and it has been determined that the applicant is not owed the main duty as they are not in priority need.
- e) Who are owed the s193C (4) duty where the Relief Duty has been ended due to the applicants deliberate non-cooperation.
- f) Who are owed a main homelessness duty by a local authority that is not a partner organisation in Home-Link scheme but has a local connection as defined in this policy.
- g) Where the Relief or Main Duty has ended due to the applicant's unreasonable refusal of an offer.
- h) Where the Relief Duty has ended following the expiry of 56 days.

Applicants assessed as 'Other homelessness' will not be awarded additional priority on any other accommodation related factors.

Applicants given this priority will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.

e) Reasonable preference but no connection to the local area

This priority will apply to any applicant in one of the reasonable preference groups but who do not meet any of the criteria for connection to the local area in section 3.4.1 of this policy.

4.9 Band D: Low housing need

- 4.9.1 Any applicant who does not meet any of the criteria in Bands A, B and C will be assessed as having a low level of housing need and their application will be placed in Band D.
- 4.9.2 Anyone assessed as having sufficient financial resources to resolve their own housing need (see s.4.13) will be placed in band D. These applicants will only be considered for an offer of a property once all other bidding applicants who do not have sufficient financial resources to resolve their own housing need have been considered.

4.10 Low priority

4.10.1 In certain circumstances, applicants will be accepted onto the housing register, but their application will be considered as low priority as a result of unacceptable behaviour or circumstances that affects their suitability to be a tenant. In these circumstances their application will be placed in a housing needs band but they will not be actively considered for an offer of a tenancy or be able to express interest in available properties. Their application will remain in low priority until the applicant has shown that the circumstances or behaviour has changed so that they are considered suitable to be a tenant.

4.10.2 The following categories will be considered as low priority:

- a) Applicants with recoverable rent arrears, former rent arrears or other housing-related charges or debts, where these are not sufficiently high to class them as not qualifying to join the register (see s.3.5). In most circumstances, an applicant with outstanding recoverable rent arrears, former rent arrears or other housing-related debts will not be considered for an offer of a tenancy or eligible to bid for housing until they have shown a regular repayment record. In reaching this decision any extenuating circumstances will be taken into consideration, including coercion, harassment and abuse.
- b) Applicants with a history of unacceptable behaviour where this is not sufficiently severe to class them as not qualifying to join the register (see s.3.5).

4.10.3 All applicants who are considered low priority will be informed of this decision in writing, and how their application could be re-assessed, for example, by agreeing and keeping to an arrangement to make payments towards rent arrears, or by the applicant satisfying the council that the circumstances or unacceptable behaviour that made them unsuitable to be a tenant have changed.

4.10.4 The Council expects applicants to clear any recoverable housing related debts owed to any social housing landlord before an offer of a tenancy is made, where it is clearly within their means to do this (for example where the debt is relatively low and the applicant has a reasonable disposable income or has sufficient savings available).

4.10.5 When a financial assessment shows that the debt cannot be cleared immediately then a realistic and affordable repayment arrangement should be agreed to clear the debt. The applicant may become eligible to bid for property as long as they have made regular payments in line with the agreement they have made.

4.10.6 Applicants found to be low priority have a right to ask for a review of the decision (see Chapter 6).

4.11 Intentionally worsening housing circumstances

4.11.1 If an applicant is assessed as having intentionally worsened their circumstances, the effect of which would be to improve their housing priority irrespective of whether they had prior knowledge of the lettings policy, their

level of housing need will be assessed on the basis of their previous accommodation, or previous circumstances at their current accommodation.

4.11.2 Applicants found to have intentionally worsened their circumstances have a right to ask for a review of the decision (see Chapter 6).

4.11.3 All applicants deemed to have intentionally worsened their circumstances will have their application reviewed on the anniversary of the decision, or earlier if there is a material change in their circumstances in the meantime.

4.11.4 If the Council has assessed and accepted the applicant is homeless or threatened with homelessness, has a priority need under the homeless legislation, but considers that they have become homeless intentionally; the applicant will be placed in Band C.

4.12 Homeowners

4.12.1 In line with the 'Allocation of accommodation: guidance for local housing authorities in England', the Council will usually only allocate social housing to homeowners in exceptional circumstances. However, the council may allocate housing that is in low demand. Applicants who are homeowners will usually be allocated a Band D status. In exceptional circumstances the Council may consider a homeowner's status. For example, the Council may allocate housing to applicants who require support and whose age qualifies them for housing for older people, but who have insufficient financial resources to access housing for older people in the private sector.

4.13 Financial resources

4.13.1 All qualifying applicants are entitled to apply for housing regardless of income levels. However, if an applicant is assessed as having income and/or capital, which will enable them to resolve their own housing need through other tenures they will not receive any preference for social housing and when bidding will appear on the shortlist after all other applicants that do not have the resources to resolve their own need.

This assessment will be based on the following:

- a) The total income of the applicant/partner
- b) Any capital available to the applicant/partner
- c) Average property prices and rents in the area for the type of accommodation needed by the household
- d) The ability of the applicant/partner to rent a property in the private sector based on a realistic assessment of their financial position and commitments.
- e) The ability of the applicant/partner to acquire a mortgage and maintain required repayments based on a realistic assessment of their financial position and commitments.

4.13.2 Excluded from the above financial assessment will be any member of the Armed Forces who may have received a lump sum as compensation for an injury or disability sustained on active service.

4.13.3 An assessment of 'sufficient financial resources' will override the applicant's household needs assessment (and banding, if other than Band D). Applicants assessed as having sufficient financial resources will remain in Band D until such time as those resources are no longer considered sufficient. Applicants can ask for this to be reviewed if and when their resources reduce or are rendered inaccessible, for example as a result of a Court Order, such that they are no longer able to resolve their own housing need.

4.14 Officer review for Band A applicants

4.14.1 Where an applicant has held Band A status for three months or more from their applicable date in band or the applicant has refused more than three reasonable offers of accommodation or has made little or no attempt to bid for accommodation the Council may carry out a review of their circumstances. This will result in either:

- a) A direct let – usually for statutorily homeless applicants living in temporary accommodation.
- b) Priority being maintained.
- c) Moving into a lower priority band if the circumstances under which they were placed in Band A no longer apply.
- d) Making the applicant unable to bid for a specified period, not exceeding six months

Chapter 5

Assessment information and criteria

5.1 Transfer applicants

5.1.1 Transfer applicants are those applicants who are tenants of a council or housing association property in the UK who wish to move to alternative accommodation.

5.2 Homeless applications

5.2.1 Applicants who are already on the housing register will remain in their existing housing needs band whilst a homeless assessment is carried out (unless the criterion in s.5.2.3 below applies).

5.2.2 When a decision has been made by the Council that an applicant is owed a main homelessness duty under s.193 (2) of the Housing Act 1996 (as amended) their application will be placed and remain in Band A until that duty is brought to an end (See s.4.6 (g))

5.2.3 A person who is threatened with homelessness may have an existing housing register application. Applicants already in Band A will retain their existing Band A status whilst homelessness prevention measures are pursued.

5.2.4 An applicant who is owed a Prevention or Relief Duty but would be unlikely to have priority need in the event of a Main Duty assessment will be placed in Band C (unless other circumstances are such that they are eligible for placement within a different band).

5.2.5 Applicants where a Main Duty decision has been reached but are intentionally homeless will be assessed as having Band C status in line with 4.8 (d) (c).

5.2.6 The main homelessness duty will come to an end, and a homeless applicant loses their priority under this section, when any of the circumstances within s.193 (6) or (7) of the Housing Act 1996 Act (as amended) are met. This will include an applicant:

- a) Accepting an offer of accommodation made through the Home-Link scheme
- b) Accepting an offer made through the direct let process within the policy (see s.5.10), or
- c) Accepting a suitable offer of accommodation in the private rented sector in line with section 193 of the Housing Act 1996 (as amended) and the Homelessness (Suitability of Accommodation) (England) Order 2012
- d) Having been informed of the possible consequences of refusal and the right to request a review of the suitability of the accommodation, refuses a reasonable offer of suitable accommodation made through the direct let process, or in the private rented sector as outlined in c) above

S. 193(6) of the Housing Act 1996 Act (as amended) gives the full circumstances under which the main homelessness duty comes to an end.

5.3 Split families

- 5.3.1 Where an application is made by family members who it would be reasonable to expect them to live together but they are unable to do so, the Council will assess their particular circumstances to consider the best way of addressing their housing needs.

5.4 Bedroom requirement guidelines

- 5.4.1 Bedroom requirements are generally determined in line with the Local Housing Allowance (LHA) regulations and these regulations will be applied when calculating bedroom requirements in overcrowding and under-occupancy assessments. They will also be used when calculating the size of property (number of bedrooms in the property) that an applicant will be able to bid on and eligible to be offered through the letting process.

Bedroom requirements are determined by the applicant's size of household. Ineligible household members may be included, subject to paragraph 2.1.2. Generally, the LHA regulations allow one bedroom each for:

- a) Every adult couple
- b) Any other adult aged 16 or over
- c) Any two children (aged under 16) of the same sex
- d) Any two children, regardless of sex, under the age of 10
- e) Any other child aged under 16
- f) A non-resident carer (claimant/partner or child have disability and need overnight care)

Applicants requiring help in calculating their bedroom entitlement can use the Directgov online bedroom entitlement calculator at <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>.

If, in exceptional circumstances, the Council considers that a room designated by a landlord as a bedroom is not capable of being used as a bedroom, they may re-assess overcrowding for the household.

- 5.4.2 Single and joint applicants of pensionable age may be eligible to be considered for one and two bedroom properties considered to be housing for older people.
- 5.4.3 A pregnant woman expecting her first child will be assessed as requiring two bedrooms from week 24 of her pregnancy.
- 5.4.4 An applicant may be assessed as requiring an additional bedroom where the Council considers there are special circumstances.

5.5 Staying contact with children

- 5.5.1 A child, or children, living between parents at separate addresses will only be considered as having one main home unless there are exceptional circumstances that mean that both parents should provide a home. A Court Order allowing access to children, or confirming residence between separated parents, does not mean that the Council must consider that the

child is part of an applicant's household for the purposes of a housing register application.

- 5.5.2 An assessment will be made by the Council as to which parent's property is considered as the child's main home. If the Council considers that an applicant does not provide the child with his or her main home then the child will not be considered as part of the housing register application. The child would then not be considered as part of the bedroom requirements when assessing overcrowding or under-occupation. They would also not be considered when assessing the size of property (number of bedrooms) that the application would be eligible to bid for and offered through the lettings process.

5.6 Medical assessments

- 5.6.1 Medical assessments will be carried out for any applicants who believe that their medical condition or disability is affected by their current accommodation. The applicant will be required to fill in a self-assessment medical form, or provide information from a medical professional, detailing the effect that their current accommodation has on their medical condition or disability. These forms will be assessed and where appropriate referred to a medical professional or appropriately trained officer for their opinion of how the medical condition is affected by the applicant's housing circumstances.

5.7 Harassment and domestic abuse

- 5.7.1 Where the applicant is a victim of harassment, domestic abuse or anti-social behaviour, the Council will offer advice and support to assist applicants in identifying possible ways of resolving their situation.

5.8 Applicant subject to Multi Agency Public Protection Arrangements, (MAPPA)

- 5.8.1 Where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA), the Council will liaise with the panel to ensure an appropriate housing solution to meet the needs of the applicant and the community.

5.9 Emergency housing status

- 5.9.1 An emergency housing status may be awarded to applicants in exceptional circumstances, where remaining in their current accommodation may cause risk of death or serious injury, where an applicant has been assessed as having multiple needs that fall within Band A, where an applicant is terminally ill, is already in Band A and, in the opinion of a qualified medical practitioner, is likely to have less than 12 months to live, or where the applicant's home is to be demolished under one of the council's or partner organisation's redevelopment schemes. An applicant with emergency housing status who bids for a home will be considered as a priority above all other applicants in any other band.

5.10 Direct Lets

- 5.10.1 Most properties will be advertised through the Home-Link scheme. However, in certain circumstances some properties may be let directly to

applicants and these properties will be let outside of the allocation scheme. Where an applicant is identified as requiring a direct let the case will be referred to a senior officer for approval. The list below gives some examples of where this may happen.

- a) Where the Council has accepted a main homelessness duty towards a household but the household has not found suitable accommodation during a period of choice through the Home-Link scheme.
- b) Where the Council has accepted a s189 (b) relief duty towards a household but the household has not found suitable accommodation during a period of choice through the Home-Link scheme.
- c) Where an applicant and their household require a specific size, type or adapted property and the applicant has not been able to find suitable accommodation through the Home-Link scheme.
- d) Where an existing social housing tenant is required to move to make the best use of stock, including where their home is to be demolished, and they have not been successful in finding a suitable property through the Home-Link scheme.
- e) Where the applicant has emergency housing status.
- f) Use and occupation cases.
- g) Where an applicant in Band A has refused 3 reasonable offers or made little or no effort to bid.

5.10.2 Information as to which properties have been allocated though direct lets will be made available through the Home-Link feedback information.

5.10.3 Direct lets will be made based on a suitable property becoming available. Where a property becomes available that is suitable for more than one applicant with a direct let status, the date applicants were awarded a direct let status will be used as a deciding factor in deciding to whom the property will be let.

5.11 Direct lets to homeless applicants

5.11.1 Homeless applicants who are owed a main homelessness duty by the Council (under s.193 (2) of the Housing Act 1996, as amended) will be placed in Band A and will be able to bid for properties through the Home-Link scheme. Their date in band will be the date they originally applied to the Council as homeless.

5.11.2 Where homeless applicants in Band A have not been offered a tenancy through the bidding process at the point at which the Council has accepted the main homelessness duty, the council reserves the right to make a direct let of a property, either in the social or private rented sector.

5.11.4 Where a homeless applicant is to be allocated a property through the direct let process the Council has responsibility for determining the suitability of any allocation. They will do this by assessing the household's particular needs and circumstances within the context of the general housing conditions in the area.

5.11.5 Where a homeless applicant is offered accommodation through a direct let, but does not feel that this offer is suitable; they have the right to request a

review of the decision that the offer is suitable. For details of the review process (see Chapter 6).

5.11.6 As the property does not have to remain available during the review of the suitability and reasonableness of a direct let, homeless applicants are advised to accept and move to the accommodation pending the decision on review. If the review outcome is unsuccessful for the applicant they will still have accommodation to live in whilst they consider their further options.

5.11.7 If a homeless applicant refuses a direct let and it is then deemed suitable at review, the main homelessness duty will come to an end. They will also have to vacate any temporary accommodation that is being provided.

5.11.8 If, on reviewing an applicant's refusal of a direct let, the property offered is considered to be unreasonable or unsuitable, the duty under s.193 (2) will continue and the applicant will be made a further offer of suitable accommodation.

5.12 Applicants who require a specific size, type or adapted property.

5.12.1 Where an applicant requires a specific size, type or adapted property, they will be placed in the appropriate housing needs band, but may be offered a direct let if the Council have a shortage of suitable properties. For example:

- a) An applicant requires a very large property to accommodate their household.
- b) An applicant requires a property of a specific type in a specific area of the district.
- c) An applicant requires a property with specific adaptations and such a property becomes available.
- d) Where an applicant is willing to move to release a property larger than required to meet their housing needs.

5.13 Housing for older people (also known as sheltered housing)

5.13.1 Housing for older people will be advertised through the Home-Link scheme. Housing for older people is generally available to applicants over 60 years of age but the age limit can be lower on some properties and it will be clearly shown in the advert. Prior to an offer of a tenancy, applicants will be subject to an assessment by the landlord of the property to establish their support needs and suitability to living in housing for older people.

5.14 Extra care properties

5.14.1 Extra care properties are for older people who need the additional support services that are provided. Extra care properties are not often advertised through Home-Link. Where they are advertised, applicants who bid will be assessed based on their care needs by a specialist panel.

5.15 Refusals of direct let

5.15.1 Where an applicant (other than a person owed the main homelessness duty) refuses a reasonable offer of a direct let a senior officer will review the reasons for the refusal and the applicant may lose any housing priority they held,

dependent on the reasons for the offer refusal. Applicants have the right to ask for a review of this decision (see Chapter 6).

5.16 Local lettings plans

5.16.1 There may be circumstances where a Local Lettings Plan is used to help prioritise applicants.

Local Lettings Plans are used across the Home-Link area. For example, to help create balanced and sustainable communities, or to help mitigate any housing management issues identified on specific schemes. They may also be appropriate where local authorities provide rural exception sites to ensure homes are prioritised to local people in perpetuity.

Some local lettings plans may ask for an applicant to have a local connection to a specific parish or village. In those cases, the connection criteria will be stipulated in the legal agreement for that development.

Where a Local Lettings Plan applies, it will be stated in the property details when advertised. Applicants who apply for one of these properties but do not meet the local letting criteria will find that their Home-Link bid will be given a lower priority than an applicant who does meet the criteria for that property.

Details of any Local Lettings Plans will be available from the local authority in whose area the property is situated.

Chapter 6

6.1 Reviews of decisions

6.1.1 The Council will carry out reviews of assessment decisions as required.

6.1.2 Examples of the types of decisions that may be reviewed include:

- a) Multiple need in band
- b) Emergency housing status
- c) Moving people up a band or down a band
- d) Priority assessments, in complex cases.
- e) Housing people in different accommodation to designated need size
- f) Low priority decisions
- g) Direct lets
- h) Being restricted from bidding

The above list is not exhaustive.

6.2 Statutory reviews

6.2.1 An applicant has the right to request a review of certain decisions made under Part 6 of the Housing Act 1996 (as amended). These are:

- a) Decisions about the facts of the applicant's case which are likely to be, or have been, taken into account in considering whether to accept onto the housing register or to allocate housing accommodation to the applicant
- b) Lack of any reasonable preference based on previous behaviour s167 (2C) Housing Act 1996 (as amended)
- c) Ineligibility for an allocation based on immigration status s160ZA (9)
- d) Decisions that an applicant does not qualify for entry on to the housing register (see sections 3.3 to 3.5)

6.2.2 Decision letters issued in respect of housing applications will advise the applicant of their right to request a review and provide appropriate guidance on how to do this. An applicant can obtain further details of the review procedure from the Council.

6.2.3 A request for a review of a decision can be made in writing or verbally to a member of staff at the Council. The request should be made within 21 days following the notification of the decision. Reviews will normally be considered within 56 days of the request being received but may be completed sooner. The applicant will receive a written response outlining the result of the review.

6.2.4 An applicant will only be entitled to one internal review. If an applicant is still unhappy following the review of a decision, they can make a complaint through the Council's complaints procedure. If they continue to be dissatisfied after the Council complaints procedure is concluded, they can contact the Local Government Ombudsman (see s.6.4) or seek to challenge the decision through a judicial review.

6.2.5 Statutory reviews will be undertaken by a designated officer who was not involved in the original decision, and who is senior to the original decision-making officer.

6.3 Homeless reviews

6.3.1 Homeless applicants have the right to request a review of certain decisions made by the Council in respect of their homeless application. Within the context of the Council's lettings policy this includes the decision to bring to an end the main homelessness duty by making a suitable offer of permanent accommodation through the housing register through the direct let process or in the private rented sector (see s.5.11).

6.3.2 If an applicant wishes to ask for the review of the Council's decision following a homeless application they must request this within 21 days of the date of the decision letter.

6.3.3 If an applicant wishes to request a review of the reasonableness of an offer or the suitability of the property, this must be made within 21 days of notification of a decision to make the offer. Late review requests can be considered under exceptional circumstances at the discretion of the council.

6.3.4 Applicants who request reviews of decisions about suitability of accommodation will be advised to accept and move into accommodation pending the outcome of their review request. If the review goes in their favour alternative accommodation will be provided as quickly as possible. However, if the reasonableness and suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.

6.3.5 The applicant has the right of appeal to the county court if they are dissatisfied with the decision on a review.

6.4 The Local Government Ombudsman

6.4.1 The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.

6.4.2 If an applicant is not satisfied with the action the council has taken, and has exhausted the council's own complaints procedure, they can send a written complaint to the ombudsman.

6.4.3 The Local Government Ombudsman can be contacted at:
Local Government Ombudsman
PO Box 4771 53-55 Butts Road
Coventry
CV4 0EH
Tel: 0300 061 01614
Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a housing association, they should contact:

The Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Tel: 0300 111 3000

Website: www.housing-ombudsman.org.uk

Chapter 7

7.1 Letting of accommodation

7.1.1 Properties will be advertised through the Home-Link scheme. The advertising will be carried out on a regular basis and for specific periods of time, known as advertising cycles.

7.2 Labelling property adverts

7.2.1 All adverts will include a description of the property and any other relevant information, for example rent charge, property size, length and type of tenancy, local facilities, disabled adaptations or if the property is housing for older people. The property will be labelled to show who is able to express an interest in it (known as bidding), for example, where a local connection is required, or if there is an age restriction on the property.

7.2.2 At least 1% of adverts will offer preference to social housing tenants needing to move for employment reasons (who would otherwise suffer hardship) under the Right to Move scheme.

7.2.3 Applicants should check the information contained in the property advert labelling to see if they qualify to be considered for the property.

7.3 Bedroom requirements

7.3.1 Bedroom requirements will generally be determined in line with the Local Housing Allowance (LHA) regulations (see s.5.4).

7.3.2 Landlords may choose to allow the under-occupation of certain properties including those that they advertise. The property advert will explain this on those properties the landlord is willing to under-occupy. Where a landlord is willing to allow under-occupation, this will generally be by allowing an applicant to be considered for one bedroom more than their assessed Local Housing Allowance (LHA) entitlement (for example allowing applicants with an assessed two bedroom LHA need to be considered for a 3-bedroom property). All households bidding for these properties and meeting the labelling criteria will be considered in line with the shortlisting criteria contained in 7.4.1 below.

7.3.3 Where a landlord is willing to allow under-occupation an affordability assessment will be completed to ensure that the applicant being considered for the property is able to meet rent payments and household utility bills. If the applicant is assessed as being unable to afford the rent payments and household utility bills the landlord may bypass them on the shortlist.

7.4 Shortlisting

7.4.1 After the end of an advertising cycle a shortlist of applicants bidding for the property and meeting the labelling criteria will be produced. Applicants will be ranked in order of their priority band with Band A above Band B, Band B above Band C, and Band C above Band D. Where more than one applicant in the same priority band appears on the shortlist they will be ranked in date

order as determined by their date in band (see 2.3). In circumstances where there is more than one applicant in the same band with the same date in band, the applicant with the earliest registration date will appear higher on the shortlist. If there is more than one applicant with the same band, date in band and registration date an officer will make an allocation decision based on the best use of the housing stock and needs of the applicants.

7.4.2 Preference during shortlisting will be given to applicants within a band who have a proven connection to the local area.

7.4.3 When a shortlist of applicants is completed the landlord of the available property may offer an accompanied viewing of the property to a group of the highest priority applicants. This is to ensure that if the applicant who tops the shortlist decides not to take the tenancy, the property can be quickly offered to the next person on the shortlist.

7.4.4 After viewing the property the applicant at the top of the shortlist will be given 24 hours to accept or refuse the offer. If an applicant is offered a tenancy (verbally or in writing) and does not reply to accept that offer within the deadline given, the landlord will take this as a refusal of the offer. If the offer is refused the next person on the shortlist will be offered the property. The landlord will work down the shortlist in order.

7.4.5 In exceptional circumstances an officer may make a decision to bypass an applicant on a shortlist, for example, if, in doing so, the offer could put a person at risk of any harm. Any such decisions will be explained fully to the applicant in writing by the landlord making the decision. This is known as a 'sensitive let'.

7.5 Formal offer of the property

7.5.1 Once the applicant has confirmed their acceptance of the tenancy the landlord of the property will write to confirm the formal offer of the tenancy. The Home-Link system will then not allow that applicant to be considered for any further properties and once the tenancy starts their housing register application will be cancelled.

7.5.2 Once the property is ready to let the landlord of the property will complete the tenancy sign up.

7.6 Withdrawal of offers

7.6.1 In exceptional circumstances an offer of a property may be withdrawn, for example:

- a) Where there has been a change in the applicants' circumstances
- b) Where the successful applicant has rent arrears or other housing related debts that had previously not come to light
- c) Following verification the applicant is not eligible for the property
- d) Where an error has been made in the advertising criteria
- e) Where an offer of accommodation could put a person at risk of any harm
- f) Where the property is no longer available to let

7.7 Refusing an offer of accommodation

7.7.1 Usually, if an applicant refuses an offer of accommodation made through Home-Link, they will remain in their housing needs band. If an applicant unreasonably refuses three or more offers of a property made through Home-Link or has made little or no attempt to bid for accommodation, an officer may contact the applicant to offer support and assistance and verify their circumstances. The applicant may be moved into a lower priority band or be unable to bid for a specified period not exceeding 6 months.

7.8 Allocations to staff, council members or their family members

7.8.1 Members of staff, their close family and elected councillors who require housing with the Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.

7.8.2 If an applicant who is a member of staff, elected councillor or a member of their direct family, makes a successful bid for a property the senior officer will be informed and must approve the letting prior to the formal offer being made.

7.9 Tenancy management outside the scope of the lettings policy

7.9.1 The following tenancy management areas are not included as part of this lettings policy as they are not included within part 6 of the Housing Act 1996 (as amended):

- a) Mutual exchanges
- b) Introductory/starter tenancies converted to secure/assured tenancies
- c) Where a secure/assured tenancy of a property is assigned by way of succession to the same property
- d) Where a secure/assured tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure/assured tenant died immediately before the assignment
- e) Where court orders are made under one of the following:
 - i. Section 24 of the Matrimonial Causes Act 1973
 - ii. Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - iii. Paragraph 1 of schedule 1 to the Children Act 1989
- f) Managed reciprocals

Chapter 8

Confidentiality and access to information

8.1 Applicants' rights to information

8.1.1 Applicants have the right to request such general information as will enable them to assess:

- a) How their application is likely to be treated under the lettings policy (including whether they are likely to be regarded as a member of a group of people who are to be given preference by this policy, (see Chapter 3)
- b) Whether housing accommodation appropriate to their needs is likely to be made available to them.

8.1.2 Applicants have the right to request information held about their application which is likely to be, or has been, taken into account when considering whether to allocate them housing.

8.2 Data protection

8.2.1 When an applicant applies to the Home-Link scheme the partner organisations will only ask for information that they need to assess their eligibility and housing needs. The partner organisations will collect and keep data in accordance with the council's guidelines on handling personal, sensitive personal or special categories of personal data. You can find out how the Council hold and use information about you on the Council's website.

8.2.2 These guidelines are in accordance with the national regulations which cover both electronic and manual records and the govern everything we do with the data, including collecting, storing, using and disposing of it.

8.2.3 Personal, sensitive personal or special categories of personal data held about applicants will not be disclosed to third parties apart from:

- a) Where the individual who is the subject of the confidential information has consented to the disclosure
- b) Where disclosure is made in accordance with an information sharing protocol that complies with the ICO's current data sharing code of practice
- c) Where the council or a partner organisation is required by law to make such disclosures

8.3 Requesting information

8.3.1 Applicants are able to request copies of the information held regarding their application. Please note that we cannot provide you with personal information about other people if doing so will breach the regulations.

Appendix 1 Home-Link Partner Organisation List

Local Authority

Cambridge City Council

Mandela House
4 Regent Street
Cambridge
CB2 1BY
Email: cbl@cambridge.gov.uk
Website: www.cambridge.gov.uk

South Cambridgeshire District Council

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
Email: cbl@scambs.gov.uk
Website: www.scambs.gov.uk

East Cambridgeshire District Council

The Grange
Nutholt Lane
Ely
Cambs
CB7 4PL
Email:
customerservices@eastcambs.gov.uk
Website: www.eastcambs.gov.uk

Huntingdonshire District Council

Pathfinder House
St Mary's Street
Huntingdon
Cambridgeshire
PE29 3TN
Email:
housingservices@huntingdonshire.gov.uk
Website: www.huntingdonshire.gov.uk

Fenland District Council

Fenland Hall
County Road
March
Cambridgeshire
PE15 8NQ
Email:
info@fenland.gov.uk
Website: www.fenland.gov.uk

LSVT Landlord

Sanctuary Housing

Avro House
49 Lancaster Way Business Park
Ely
Cambs
CB6 3NW
Email:
east-lettings@sanctuary-housing.co.uk
Website: www.sanctuary-housing.co.uk

Chorus Homes

Brook House
Ouse Walk
Huntingdon
Cambridgeshire
PE29 3QW
Email: info@chorushomesgroup.co.uk
Website: www.chorushomesgroup.co.uk

Clarion Housing

Reed House
Peachman Way
Broadland Business Park
Norwich
NR7 0WF
Email:
March-Home-Link@myclarionhousing.com
Website: www.myclarionhousing.com

Local Authority

West Suffolk Council

West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Email: customer.services@westsuffolk.gov.uk

Website: www.westsuffolk.gov.uk

LSVT Landlord

Flagship Housing Group

Keswick Hall
Keswick
Norwich
Norfolk
NR4 6TJ

Email: info@flagship-housing.co.uk

Website: www.flagship-housing.co.uk

Havebury Housing Partnership

Havebury House
Western Way
Bury St. Edmunds
Suffolk
IP33 3SP

Email: office@havebury.com

Website: www.havebury.com

Appendix 2

Glossary of Terms

Adapted properties – a property that has been adapted for an applicant with disabilities.

Advertising cycle – how often properties are advertised and available to make a bid on.

Advertised – properties that are advertised and are available for applicants to bid for through Home-Link.

Age restrictions – where a property is labelled, as only being available to applicants of a certain age.

Application number – a unique housing register number generated by the computer system.

Bedroom eligibility – how many bedrooms a household is assessed as needing.

Bid – the process used by applicants in registering an interest in an available property.

Choice based lettings (CBL) – a method of allocating social and affordable homes which have become available for letting by openly advertising them, and allowing applicants to bid for these.

Customer/applicant – is either a tenant of a partner organisation (including those in temporary accommodation) or a housing applicant on the Home-Link housing register.

Date of registration – the date an application form is registered with a partner organisation.

Date in band – the date an application is placed in a housing needs band and used as the applicable date when shortlisting.

Decision making organisation – the organisation that made a decision about a housing or homeless application.

Direct let – a property that is offered directly to an applicant, without them having to bid.

Domestic abuse – is threatening behaviour, violence or abuse (physical, psychological, sexual, financial or emotional) by a partner, former partner or a family member.

Housing options – looking at the number of ways in which an applicant or customer might be assisted and supported to find a solution to their housing

needs. Housing options may include private rented accommodation, mutual exchange, or even a help to buy product.

Housing register – a list of those requesting, eligible and qualifying for housing.

Housing related debts – are defined as recoverable current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge arrears and court costs. They may also include Council Tax debts or Housing Benefit overpayments.

Joint application – where more than one applicant applies to join the housing register on one application form.

Labelling properties – describing who is eligible to bid for a property and if there will be a preference applied.

Local Connection – The connection an applicant has to a specific area.

Local elected Councillors– each local authority is governed by a group of elected councillors also known as members.

LSVT landlord – Large Scale Voluntary Transfer, where a local authority has sold its housing stock to a Registered Provider

Mutual exchange – a scheme which allows two social housing tenants to swap their homes.

Partner organisations – all the councils that are partners to the Home-Link scheme.

Reasonable Preference – The phrase used in the Housing Act to describe those types of housing need that should be given a priority in a local allocations policy.

Registered Providers – also known as housing associations. These are social landlords who also provide social and affordable rented homes for which applicants/customers can bid for through the Home-Link scheme.

Regular Forces – Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

Reserve Forces – Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Regular Reserves, the Royal Air Force Reserve or the Royal Auxiliary Air Force

Section 193C (4) – The Main Housing Duty does not apply, but the authority will still have a duty to ensure that accommodation is available for occupation by the applicant.

Transferring tenant – an applicant who is currently a tenant of a local authority or registered provider and who wishes to move.

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Local Lettings Plans – Alconbury Weald and Future Plans

Meeting/Date: Overview and Scrutiny Panel (Customers and Partnerships) – 4th March 2021

Executive Portfolio: Executive Councillor for Housing and Economic Development

Report by: Housing Needs and Resources Manager

Wards affected: All

RECOMMENDATION

The Overview and Scrutiny Panel is invited to comment on the Cabinet report attached at Appendix A regarding Local Lettings Plans.

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Local Lettings Plans – Alconbury Weald and Future Plans

Meeting/Date: Cabinet – 18th March 2021

Executive Portfolio: Executive Councillor for Housing and Economic Development

Report by: Housing Needs and Resources Manager

Wards affected: All

Executive Summary:

The Council's Lettings Policy provides the legal allocations framework as to who is accepted onto the register, how the register is administered and how the majority of social rented housing in the district is let.

Local lettings plans (LLPs) are a means of varying the lettings scheme, for example on new developments where a large number of social rented properties are being delivered at the same time and the aim is to create a mixed and balanced community. As a variation to the Council's lettings scheme each LLP has to be formally adopted as an appendix to the Lettings Policy.

This report highlights the next development site that is likely to be subject to an LLP and requests that delegated authority be given to the Chief Operating Officer, in consultation with the Executive Councillor for Housing and Economic Development, to adopt that and future LLPs.

Recommendation(s):

That Cabinet is:

RECOMMENDED

To give authority to the Chief Operating Officer, in consultation with the Executive Councillor for Housing and Economic Development, to adopt future Local Lettings Plans.

1. PURPOSE OF THE REPORT

- 1.1 As the local Housing Authority, the Council is required by law to have an allocations scheme for determining priorities in the allocation of social rented housing. The Lettings Policy is the Council's allocations scheme.
- 1.2 The purpose of the report is to explain the why Local Lettings Plans (LLPs) may be used and request that Cabinet give authority to the Chief Operating Officer, in consultation with the Executive Councillor for Housing and Economic Development, to adopt future Local Lettings Plans.
- 1.3 Local Lettings Plans (LLPs) can be adopted to help achieve broader objectives in addition to those of the Lettings Policy, especially on larger developments; or can help to address or prevent particular issues from arising in a defined area. Examples of how LLPs may be used include:
 - To help maintain or achieve mixed, balanced and sustainable communities
 - To make best use of new and/or existing homes
 - To help meet the local council's broader strategic objectives
 - To help meet housing management objectives
 - To help meet specific local needs or address particular local issues
 - To help meet local needs in rural areas through giving priority to people with a local connection
 - To enable people to move back into the area where they have had to move out for redevelopment to take place

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Council previously adopted an LLP on the initial lets of Cross Keys' affordable rented homes at the Romans Edge development site in Godmanchester. The initial lettings of these properties were apportioned equally between households in the various priority bands on the housing register as well as between households both in and out of employment. The feedback from Cross Keys in 2018 was that this worked well with a negligible rate of incidents of ASB, rent arrears, or a requirement for a Neighbourhood Manager to visit the site. Although LLPs will not prevent incidents happening altogether, they can play an important role in contributing to the early establishment of mixed and balanced communities particularly on new development sites.
- 2.2 The Overview & Scrutiny Panel welcomed the approach to provide a mixture of housing (tenants) and recommended that the lessons learnt and the best practice followed at Romans Edge be replicated on other development sites in the district where appropriate.
- 2.3 With a number of new development sites in the pipeline discussions are starting to take place with developers and housing association partners about putting LLPs in place on the initial lets of properties that will be advertised through the Home-Link scheme.
- 2.4 The first of these sites is likely to be at Alconbury Weald where the developer is working with the Council and a housing association landlord

to deliver an additional 124 rented homes. These properties are likely to start to become available from April/May this year.

3. COMMENTS OF OVERVIEW & SCRUTINY

3.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

4.0 KEY IMPACTS / RISKS

4.1 Where a number of new-build rented properties are delivered in quick succession in one location there is a risk through the normal lettings process that there may be a concentration of households with similar issues. This may include things such as a higher proportion of households not in employment, and an LLP can help minimise these risks by helping establish a more balanced and mixed community.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

5.1 Where it is felt that an LLP may be required for any of the reasons highlighted earlier in 1.3, discussions will take place with the housing association or registered provider of the housing. If an LLP is required, this will be negotiated with the housing association/registered provider and approved by the Chief Operating Officer, in consultation with the Executive Councillor for Housing and Economic Development.

6. LINK TO THE CORPORATE PLAN

6.1 A key priority within the Place based agenda of the Corporate Plan is to improve the supply of new and affordable housing, jobs and community facilities to meet current and future need. LLPs have a role to play in helping achieve this through the letting of rented housing to delivering balanced and mixed communities within new and existing communities.

7. LEGAL IMPLICATIONS

7.1 Section 166A(6)(b) of the 1996 Housing Act enables local authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of s. 166A(3). This is the statutory basis that allows local authorities to adopt Local Lettings Plans for certain parts of the social rented stock within their area.

7.2 The authority for delegating functions to Officers is contained in Section 101 of the Local Government Act 1972 and Section 14 of the Local Government Act 2000.

8. RESOURCE IMPLICATIONS

8.1 There are no resource implications associated with this report.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 It is recommended that authority be given to the Chief Operating Officer, to adopt Local Lettings Plans, in consultation with the Executive Councillor for Housing and Economic Development, to allow the timely adoption these plans, as required, in particular as new homes are being delivered.

BACKGROUND PAPERS

Link to [Romans Edge \(previously known as Bearscroft Farm\) Local Lettings Plan](#)

CONTACT OFFICER

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Overview and Scrutiny Work Programme 2020/21

Performance and Growth

In Progress

Topic	Membership & Scope	Lead Officer	Progress
Transport Strategy	Councillor S J Criswell Councillor I D Gardener Councillor P L R Gaskin Councillor M S Grice	Nigel McCurdy/David Edwards	Study has not commenced.
Asset Management Strategy	Councillor I D Gardener Councillor D A Giles	Jackie Goldby/Justin Andrews	1st February 2021 – Members met with the Interim Commercial Estates Manager and provided input and feedback into the Strategy. Next Step The Strategy will be presented to Overview and Scrutiny in Autumn 2021.

Completed

Topic	Membership & Scope	Lead Officer	Progress
Housing Strategy to 2025	Councillor A Roberts Councillor S Wakeford Councillor D Wells Councillor Mrs S R Wilson <ul style="list-style-type: none"> • Comment and make suggestions on the emerging Housing Strategy. 	David Edwards/Liz Bisset	6th August 2020 – A meeting took place with Members; the Interim Corporate Director (Place), David Edwards and Liz Bisset. The vision for the strategy was outlined and Members had an opportunity to comment and make suggestions. 7th October 2020 – The Housing Strategy was presented to Overview and Scrutiny.

			22nd October 2020 – The Cabinet approved the Housing Strategy and the accompanying one year action plan.
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Customers and Partnerships

In Progress

Topic	Membership & Scope	Lead Officer	Progress
Digital Strategy	Councillor D M Tysoe Councillor R J West	Tony Evans	Next Step The Digital Strategy won't be presented until the Core Service Strategy is produced.
Climate Change Strategy	Councillor T D Alban Councillor Mrs J Tavener Councillor Mrs S R Wilson	Neil Sloper	18th October 2020 – The Democratic Services Officer (Scrutiny) attended the Centre for Public Scrutiny and Local Government Association Scrutinising Climate Action Webinar on 18th September. Next Step The remit for strategy development has not been established.
Flooding Review	Councillor Mrs S J Conboy Councillor S J Corney Councillor I D Gardener Councillor D M Tysoe Councillor R J West Compile and review evidence (quantitative and qualitative) relating to the December 2020 flooding events, to: 1) Understand what happened. 2) Review the response. 3) Consider future prevention/mitigation.	Nigel McCurdy	28th January 2021 – The Task and Finish Group met and began the review. Next Steps A representative of Cambridgeshire County Council will attend the meeting on 25th February to answer Members questions. Paul Burrows, Environment Agency, will attend the meeting on 11th March to answer Members questions.

Strategic Review of Markets	<p>Councillor B S Banks Councillor S J Corney Councillor J W Davies Councillor Mrs A Diaz Councillor Ms A Dickinson (also the Executive Councillor for Operations and Environment, Councillor Mrs M L Beuttell)</p> <p>To conduct a Strategic Review of HDC Markets and produce a Vision statement and a Strategy.</p>	George McDowell	<p>5th November 2020 – The Panel received a report and suggested scoping document for the Strategic Review of Markets. Members agreed to endorse the approach and aims as set out in the scoping document and appointed five O&S Members to join the Executive Councillor for Operations and Environment in conducting the Strategic Review.</p> <p>18th February 2021 – The review commenced and Members discussed the survey.</p> <p>Next Step The next meeting will take place on 23rd March.</p>
Waste Strategy	<p>Councillor Ms A Dickinson Councillor D A Giles Councillor Mrs S Smith Councillor Mrs S R Wilson</p>	Neil Sloper	<p>Study has not commenced.</p> <p>Update (provided on 24th November 2020) – The delivery of HDC’s Waste Strategy is linked to two other strategies. The first is DEFRA’s Resources and Waste Strategy. This strategy determines any changes to waste collection practices and the options available for the collection of household waste. This has been delayed until spring 2021.</p> <p>The second is the RECAP (Cambridgeshire and Peterborough</p>

			<p>Waste Partnership) Waste Strategy, which is the parent strategy to HDC's Waste Strategy. The partnership has conducted modelling work with DEFRA to look at the impacts and alternatives of different approaches to waste and recycling collection models but is unable to continue the work until DEFRA's strategy is clear.</p> <p>The delay in the delivery of DEFRA's Strategy has had a knock-on effect for the expected date of RECAP's Strategy, meaning that the delivery of HDC's Strategy has been delayed until January 2022.</p>
Lifelong Health – Part Two	<p>Councillor S J Criswell Councillor Mrs A Dickinson Councillor K P Gulson Councillor Mrs S Smith Councillor Mrs J Tavener Councillor Mrs S R Wilson</p> <ul style="list-style-type: none"> • Identify ways of developing better health outcomes for residents. • Identify the benefits of a whole system approach for the Council. 	Oliver Morley	<p>12th September 2019 – The Panel received the final report of Part One and agreed to continue the study under the guise of 'Part Two'.</p> <p>14th October 2019 – The Task and Finish Group met with Liz Robin, Public Health.</p> <p>10th December 2019 – Following the presentation of the Part One report to Cabinet and the meeting with the Director of Public Health, the Task and Finish Group met to refocus the scope of the study. The study will now focus primarily</p>

			<p>on collaboration with Parish & Town Councils and community groups in order to improve residents' physical activity and well-being.</p> <p>13th January 2020 – The Task and Finish Group received a presentation from Active Lifestyles and assessed the interaction the service has with Parish & Town Councils and community groups.</p> <p>28th January 2020 – Alyce Barber, Community Development Officer, attended and informed Members of her work with projects that helps build social contact, builds support networks and addresses mental health issues. Members will also discuss the evidence that links an individual's mental health with physical health.</p> <p>12th February 2020 – The Task and Finish Group received and discussed a number of case studies.</p> <p>26th November 2020 – The Group met and conducted an evidence review. Members recognised that the health issues discussed were around before the pandemic, however they have been affected by it. Despite this, it was decided that any health plan for the District should</p>
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			<p>look beyond the pandemic and be a post Covid-19 plan. The Group decided that the recommendations should be focused on the following themes: access to healthy food, mental well-being and physical health.</p> <p>Next Step – A final report is in the process of being drafted.</p>
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Completed

Topic	Membership & Scope	Lead Officer	Progress
Healthy Open Spaces and Play Strategy	Councillor Mrs A Dickinson Councillor K P Gulson Councillor Mrs S Smith Councillor Mrs J Tavener Councillor Mrs S R Wilson	Helen Lack	<p>11th March 2020 – A meeting took place with Working Group Members, the relevant Executive Councillors, Helen Lack and Sarah Wheale-Smith of PleydellSmithyman so that Members could give their views on the draft Strategy.</p> <p>29th July 2020 – A second meeting took place with Working Group Members, Helen Lack and Sarah Wheale-Smith of PleydellSmithyman. Members were shown the executive summary and a full draft of the Strategy.</p> <p>8th October 2020 – The Healthy Open Spaces Strategy was presented to Overview and Scrutiny.</p>

			22nd October 2020 – The Cabinet endorsed the Healthy Open Spaces Strategy and 10 year action plan.
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