

A meeting of the **CABINET** will be held as a **REMOTE MEETING VIA ZOOM** on **THURSDAY, 18 MARCH 2021** at **6:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

APOLOGIES

1. MINUTES (Pages 5 - 12)

To approve as a correct record the Minutes of the meetings held on 11th and 23rd February 2021.

Contact Officer: H Peacey - (01223) 752548

2. MEMBERS' INTERESTS

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

Contact Officer: Democratic Services - (01223) 752548

3. COMMUNITY INFRASTRUCTURE LEVY SPEND ALLOCATION - BUCKDEN-HUNTINGDON SAFE CYCLING AND WALKING ROUTE (Pages 13 - 24)

To receive a report on Community Infrastructure Levy Spend Allocation – Buckden-Huntingdon Safe Cycling and Walking Route.

Executive Councillor: J Neish.

Contact Officer: M Reynolds - (01223) 616842

4. COMMUNITY INFRASTRUCTURE LEVY SPEND ALLOCATION - B1040 WHEATSHEAF ROAD / SOMERSHAM ROAD, ST IVES ACCIDENT REDUCTION SCHEME (Pages 25 - 32)

To receive a report on Community Infrastructure Levy Spend Allocation – B1040 Wheatsheaf Road / Somersham Road, St Ives Accident Reduction Scheme.

Executive Councillor: J Neish.

Contact Officer: M Reynolds - (01223) 616842

**5. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY
ACCELERATED TOWNS PROGRAMME (Pages 33 - 44)**

To receive a report by the Interim Corporate Director (Delivery) on the Accelerated COVID-19 Towns Programme.

Executive Councillor: R Fuller.

Contact Officer: D Edwards - (07768) 238708

6. LETTINGS POLICY REVIEW (Pages 45 - 94)

To receive a report from the Housing Needs and Resources Manager on the outcome of the Lettings Policy Review.

Executive Councillor: R Fuller

Contact Officer: J Collen - (01480) 388218

**7. LOCAL LETTINGS PLANS - ALCONBURY WEALD AND FUTURE PLANS
(Pages 95 - 98)**

To receive a report from the Housing Needs and Resource Manager on the Local Lettings Plans for Alconbury Weald and future plans.

Executive Councillor: R Fuller.

Contact Officer: J Collen - (01480) 388218

Dated this 10 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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Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

Please contact Mrs Habbiba Peacey, Democratic Services Officer, Tel No: (01223) 752548 / e-mail: Habbiba.Peacey@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 Cabinet.

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](#).

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CABINET held as a Remote Meeting via Zoom on Thursday, 11 February 2021

PRESENT: Councillor R Fuller – Chairman.

Councillors Mrs M L Beuttell, S Bywater, J A Gray,
D N Keane, J Neish and K I Prentice.

IN ATTENDANCE: Councillors J M Palmer and S J Corney.

51 MINUTES

The Minutes of the meeting held on 21st January 2021 were approved as a correct record.

52 MEMBERS' INTERESTS

Councillor S Bywater declared a disclosable pecuniary interest under Minute No 20/53 as Chairman of Cambridgeshire County Council's Children and Young People Committee.

53 COMMUNITY INFRASTRUCTURE LEVY SPEND ALLOCATION

With the aid of a report prepared by the Service Manager (Growth) (a copy of which is appended in the Minute Book) the Cabinet were invited to consider and agree infrastructure projects as outlined in paragraph 10.2 to be funded in whole or in part by an amount of the Community Infrastructure Levy (CIL) monies received to date.

By way of background, the Executive Councillor for Strategic Planning advised that the latest funding round had been launched on 10th November 2020 with around £28 million of CIL receipts now currently available for spend on infrastructure projects. Attention was drawn to a number of planned strategic transport projects which included the A428 Black Cat to Caxton Gibbet Improvements, A141 Huntingdon, A14 Improvement Scheme, A1 Improvement Scheme, East West Rail Bedford to Cambridge opportunities and Edison Bell Way link road and the potential for future financial support being requested for these schemes. Finally, it was reported that Appendix 3 of the report outlined project bids under £50,000 which had been determined in accordance with delegated authority given to the Corporate Director (Place) and the Service Manager (Growth) in consultation with the Executive Councillor for Strategic Planning.

Councillor S J Corney, Chairman of the Overview and Scrutiny Panel (Performance and Growth), presented the outcome of the Panel's discussions at its meeting on 3rd February 2021 drawing particular attention to the Buckden to Huntingdon Safe Cycling and Walking Route, Cricket Pavilion, King George V Playing Field and Special School (Alconbury Weald) schemes. The Cabinet

concluded with the comments of the Panel in respect of Cambridgeshire County Council making a greater contribution to the Buckden to Huntingdon Safe Cycling and Walking scheme and noted the comments which had been made regarding the Cricket Pavilion at King George V Playing Field which was considered to be a desirable scheme rather than essential or critical.

Following debate on each of the schemes outlined in paragraph 10.2 of the report, the Cabinet expressed their support and approval for three of the five schemes, namely Special School (Alconbury Weald), The Valley land management programme and Swimming Pool Changing at One Leisure St Ives. Whilst supportive of the principle of the Buckden-Huntingdon Safe Cycling and Walking Route, it was agreed not to approve the scheme at this stage as the Cabinet would like to see what contribution, if any, would be made by Cambridgeshire County Council towards the cost of the project.

Having regard to the Cricket Pavilion, King George V playing field, in response to questions raised by a Member, it was clarified that the scheme would seek to replace and improve the current facilities provided on the site. Following discussions, and whilst being mindful of the budget available, Members concluded that CIL funding in the Huntingdon area should be prioritised for future major infrastructure projects and agreed not to approve the scheme. Whereupon, the Cabinet

RESOLVED

- (a) to note the information on projects already in receipt of funding commitments and the updates on their delivery;
- (b) to note the funding bids submitted for £50,000 or less and the approvals in line with delegated authority agreed at the Cabinet’s meeting on 22 October 2020 (Minute No 20/33 refers);
- (c) to determine funding for projects detailed in paragraph 10.2 of the report now submitted as follows:

| Scheme | Decision |
|--|-----------------------|
| Special School (Alconbury Weald) (Cambridgeshire County Council) | Approved in principle |
| Buckden-Huntingdon Safe Cycling and Walking Route (Buckden Parish Council) | Not approved |
| The Valley land management programme (Buckden Village Hall Trust) | Approved in principle |
| Cricket pavilion, King George V playing field (Huntingdon Town Council) | Not approved |
| Swimming pool changing (phase 2) (One Leisure St Ives) | Approved |

- (d) to delegate authority to the Corporate Director (Place) and Service Manager (Growth), in consultation with the Executive Leader and Executive Councillor for Strategic Planning, to make final agreements for

contracts to be issued on projects allocated CIL monies in principle, subject to provision of necessary evidence, with the exception of the Special School at Alconbury Weald which, due to the scale of funding offered, will be reported back to Cabinet for its final sign off.

54 FINAL 2021/22 REVENUE BUDGET AND MEDIUM TERM FINANCIAL STRATEGY (2022/23 to 2025/26) INCLUDING THE CAPITAL PROGRAMME

By means of a report by the Chief Finance Officer (a copy of which is appended in the Minute Book) the Cabinet were provided with details of the Final Budget 2021/22 and the Medium Term Financial Strategy 2022/23 to 2025/26 which included the Capital Programme.

In introducing the report, the Executive Councillor for Finance and Resources reported that whilst the budget had not gone through the full draft budget process, this had been a good decision to make as a number of uncertainties had now become clearer. He then went on to report that the proposed budget for 2021/22 of £20,686,000 had increased by 17% when compared to the previous year's original budget. The Cabinet's attention was drawn to the New Homes Bonus, the level and use of reserves held by the Council and the focus which would be placed upon Economic Development in 2021/22. In his concluding remarks, the Cabinet were encouraged to note the proposal to freeze Council Tax in 2021/22 owing to the uncertainties which continued to exist around the impact of COVID-19 and the need to continue to protect the District's most vulnerable residents.

The Chief Finance Officer then drew attention to the key risk areas within the budget which included the scrutiny of Medium Term Plan bids, the Council's Minimum Revenue position, NNDR growth assumptions, the Council's Commercial Investments and the robustness of reserves.

Having expressed their appreciation to the Chief Finance Officer, Service Managers and staff for their efforts in producing a comprehensive budget and in noting the views of the Overview and Scrutiny Panel (Performance & Growth), it was

RESOLVED

that Council be recommended to approve:

- (a) the overall Final Budget 2021/22 and Medium Term Financial Strategy 2022/23 to 2025/26 as outlined in Appendix 1 of the report now submitted (which includes the Revenue Budget at Section 2 and the Capital Programme at Section 3); and
- (b) the "Plan-on-a-Page" as outlined in Appendix 2 of the report now submitted.

55 2021/22 TREASURY MANAGEMENT, CAPITAL AND INVESTMENT STRATEGIES

Consideration was given to a report by the Chief Finance Officer (a copy of which is appended in the Minute Book) seeking approval of the Treasury Management

Strategy, Capital Strategy, Investment Strategy and Minimum Revenue Provision Statement. Whereupon, it was

RESOLVED

that the Council be recommended to approve:

- (a) the Treasury Management Strategy (as attached as Appendix 1 of the report now submitted);
- (b) the Capital Strategy (as attached as Appendix 2 of the report now submitted);
- (c) the Investment Strategy (as attached as Appendix 3 of the report now submitted); and
- (d) the Minimum Revenue Provision Statement (as attached as Appendix 4 of the report now submitted).

56 CIVIL PARKING ENFORCEMENT

Consideration was given to a report prepared by the Head of Operations (a copy of which is appended in the Minute Book) seeking to amend the recommendations of the Council's Off-Street Parking Strategy 2018-2023, which, in 2018, had been decided not to progress the civil enforcement of on-street parking offences in Huntingdonshire.

In introducing the report, the Executive Councillor for Operations and Environment reminded the Cabinet that at the time the original decision was made, it had not been financially viable to implement civil parking enforcement within the District. Having drawn attention to the projected costs of the proposals together with the timetable for implementation and the views of the Overview and Scrutiny Panel (Customers and Partnerships), the Cabinet

RESOLVED

- (a) to update the Off-Street Parking Strategy 2018-2023 to enable the progression of Civil Parking Enforcement of On-Street Parking in Huntingdonshire;
- (b) to approve the two-year project 'Civil Parking Enforcement' in Huntingdonshire to be started from 1st April 2021 utilising the budget provision already made for the project with associated revenue implications; and
- (c) to authorise Officers to seek an emergency agreement with the Highways Authority, Cambridgeshire County Council, in line with recommendations (a) and (b) above and their commitment to support the required application to the Department for Transport.

57 ELECTRIC VEHICLE CHARGING

With the aid of a report by the Head of Operations (a copy of which is appended in the Minute Book) the Cabinet considered a proposal to enable the delivery of Electric Vehicle charging points within Huntingdonshire in line with the Council's Off Street Car Parking Strategy 2018-2023.

In noting that the project would be delivered in two phases concluding at the end of July 2021 and in noting the views of the Overview and Scrutiny Panel (Customers and Partnerships), the Cabinet expressed their support for the proposals. Whereupon, it was

RESOLVED

that the Cabinet approve:

- (a) the locations proposed and phasing of the installation of Electric Vehicle charging points;
- (b) the type and number of charging points at a given site; and
- (c) a fee from the options presented, or alternative based on the evidence presented.

58 CORPORATE PERFORMANCE REPORT 2020/21, QUARTER 3

With the aid of a report prepared by the Business Intelligence & Performance Manager (a copy of which is appended in the Minute Book) the Cabinet considered progress made against the Key Actions and Corporate Indicators listed in the Council's Corporate Plan 2018/22 for the period 1st October to 31st December 2020. The report also incorporated progress on the current projects being undertaken by the Council.

The Deputy Executive Leader and Executive Councillor for Strategic Planning summarised the progress made in delivering the Key Actions for 2020/21 over the reporting period and the Cabinet were advised that 69% of these were on track, with 31% being classified as being within the acceptable variance. In doing so, Cabinet's attention was drawn to those areas where positive progress had been achieved, as set out in section 3.4 of the report submitted.

In terms of performance against the Council's Corporate Indicators, Cabinet were pleased to note that the majority of these were on track at the end of Quarter 3 with only five being classified as "red" because performance was below an acceptable variance.

Having been apprised with the status of corporate projects at the end of December 2020 and in noting the views of the Overview and Scrutiny Panel (Performance and Growth), the Cabinet

RESOLVED

to note the progress made against the Key Actions and Corporate Indicators in the Corporate Plan and current projects, as summarised in Appendix A and detailed in Appendices B and C of the report now submitted.

59 FINANCIAL PERFORMANCE REPORT 2020/21, QUARTER 3

A report by the Chief Finance officer was submitted (a copy of which is appended in the Minute Book) presenting details of the Council's financial performance to the end of December 2020.

The Executive Councillor for Finance and Resources drew the Cabinet's attention to the highlights within the report, specifically the forecast revenue outturn overspend of £0.799m and capital outturn underspend of £11.890m. Reference was also made to the Commercial Investment Strategy and the benefits this was achieving for the Council, namely the protection of services for the residents of Huntingdonshire.

Having welcomed the report and in noting the views of the Overview and Scrutiny Panel (Performance and Growth), it was

RESOLVED

that the Cabinet note the Council's financial performance at the end of December 2020 and the register of reviews of Commercial Investment Strategy propositions as detailed in Appendices 1 and 2 of the report now submitted.

Chairman

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the Special Meeting of the CABINET held as a Remote Meeting via Zoom on Tuesday, 23 February 2021

PRESENT: Councillor R Fuller – Chairman.

Councillors Mrs M L Beuttell, S Bywater, J A Gray, D N Keane, J Neish and K I Prentice.

APOLOGY: An Apology for absence from the meeting was submitted on behalf of Councillor J M Palmer (Cabinet Assistant).

IN ATTENDANCE: Councillor S J Corney.

60 MEMBERS' INTERESTS

No declarations were received.

61 FUTURE HIGH STREET FUND

Due to an imminent decision being required, an item of business was considered under the General Exception Provisions – Section 15 of the Access to Information Procedure Rules, as contained in the Council's Constitution.

Further to Minute No 20/17 and with the aid of a report by the Service Manager (Growth) (a copy of which is appended in the Minute Book) and appendices (copies of which are appended in the Annex to the Minute Book) the Cabinet gave consideration to the preferred option in progressing the regeneration vision for St Neots in light of the offer from the Ministry of Housing, Communities and Local Government (MHCLG) for 69% of the overall ask from the Future High Streets Fund (FHSF).

The Cabinet were reminded that should they wish to discuss the content of the appendices, which related to commercial and legally sensitive matters, to inform the Chairman so that the meeting could move to private session if required.

By way of background, the Chairman, as Executive Councillor for Housing and Economic Development, reported that the Council had re-engaged with specialist advisors, Mott MacDonald, to review the Council's original submission in light of recent developments whilst having regard to MHCLG requirements. He then went on to express his support for "Option A" as the preferred option, which would require the District Council to fund the shortfall of £1,729,943 to deliver the originally agreed regeneration programme for St Neots Town Centre from Community Infrastructure Levy funds.

Following a brief explanation from the Service Manager (Growth) on the work which had been undertaken to complete the benefit cost ratios of the proposals, the Cabinet were informed that the next steps of the project would be to move into detailed design and implementation phase which would include a

comprehensive public engagement process. Attention was also drawn to a misleading news article in the Hunts Post newspaper for which an apology had been received from the Editor and a commitment to printing a more accurate report in the ensuing week's edition.

The Cabinet unanimously expressed their support for "Option A" of the proposals and commended the Service Manager (Growth) and her team, together with the Chairman, as Executive Councillor for Housing and Economic Development and Councillors K Prentice and D Wells, Chairman and Member of the St Neots Master Plan Steering Group respectively, for their efforts, contributions and expertise in the delivery of the project to date.

Councillor S J Corney, Chairman of the Overview and Scrutiny Panel (Performance and Growth), presented the outcome of the Panel's special meeting held prior to the Cabinet's meeting where it was noted that the proposals had been welcomed and met the great positivity by the Panel's Members.

In noting that the cumulative contribution towards the regeneration of St Neots Town Centre from the District Council would be £5,245,000 (inclusive of funds already allocated to St Neots Riverside Park), it was

RESOLVED

that the Cabinet agree to:

- (a) submit a final proposal to the Future High Streets Fund by 26th February 2021;
- (b) Option A as the preferred option;
- (c) endorse an additional £1.7m of Community Infrastructure Levy (CIL) spend in support of recommendation (b) above;
- (d) develop a delivery plan to include an engagement and communication strategy; and
- (e) delegate authority to the Service Manager (Growth), in consultation with the Executive Leader, Deputy Leader and Corporate Director (Place) to make adjustments to the final scheme, if required, based on feedback from the Ministry of Housing, Communities and Local Government (MHCLG).

Chairman

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Community Infrastructure Levy Spend Allocation – Buckden-Huntingdon Safe Cycling and Walking Route

Meeting/Date: Cabinet – 18th March 2021

Executive Portfolio: Executive Councillor for Strategic Planning

Report by: Strategic Growth Manager

Wards affected: Buckden, Brampton & Huntingdon

Executive Summary:

The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Huntingdonshire District Council became a CIL charging authority in May 2012.

Local authorities must spend the levy on infrastructure needed to support the development of their area. This helps to deliver across several of the Council's Corporate Plan priorities for 2018 – 2022 but specifically:

- Support development of infrastructure to enable growth
- Improve the supply of new and affordable housing, jobs and community facilities to meet current and future need

The application for CIL funding was previously considered at the Cabinet meeting held on 11th February 2021. While the project was supported, it was declined for funding, as members considered that Cambridgeshire County Council (CCC), in its role as Local Highway Authority, should be funding a greater portion of the project cost. Buckden parish Council has subsequently been in discussions with CCC who have indicated that the scheme will be part of the work to prioritise schemes to be funded by the Delivering Transport Strategy Aims Programme for 2021/22. Members are asked to consider the proposal for funding afresh in light of this additional information.

Recommendation(s):

The Cabinet is recommended to support CIL funding of up to £100,000 as co-funding toward provision of a new length of cycle/footway and safer crossing point on Buckden Road, Brampton to facilitate safe cycling/walking to Brampton, Hinchingsbrooke Secondary School and Huntingdon.

RECOMMENDED

Approve CIL funding of up to £100,000, for a new length of cycle/footway and safer crossing point on Buckden Road, Brampton subject to:

- i. Written confirmation of future maintenance arrangements
- ii. Written confirmation of landowner consent.
- iii. Submission of an updated business case detailing match funding secured, detailed design of the route and an implementation plan

The offer recommended is time limited (12 months) to enable the above matters to be addressed.

1. PURPOSE OF THE REPORT

- 1.1 Following the decision by Cabinet, at its meeting on 11th February 2021, Buckden Parish Council (BPC) have been actively engaging with Cambridgeshire County Council to secure additional funding for the delivery of a Buckden to Huntingdon cycling and walking route. CCC have indicated support in principle for the scheme and additional funding is expected as part of CCC's Delivering Transport Strategy Aims Programme for 2021/22.
- 1.2 This report considers a payment of up to £100,000 from CIL toward the provision of a new length of cycle/ footway and crossing point on Buckden Road, Brampton (Appendix 1). This would facilitate safe cycling/ walking to Brampton, Hinchingsbrooke Secondary School and Huntingdon. Members are asked to consider the scheme in light of the additional information now provided.

2. BACKGROUND

- 2.1 The project entails provision of shared use route for pedestrians and cyclists along B1514 Buckden Road, Brampton southbound. The proposed shared route would commence at the Brampton Golf Club and terminate approximately 300m southbound joining the existing route.
- 2.2 In addition, a proposed crossing facility will be constructed within the 30-mph speed limit to facilitate a safe crossing for non-motorised users (NMU). In doing so, the proposed scheme will provide a link for the pedestrians and cyclists travelling to and from Buckden, Brampton and Huntingdon.
- 2.3 The Huntingdonshire Local Plan 2036 (HLP2036) recognises Buckden as a Key Service Centre, with identified growth of approximately 435 dwellings, which the route would serve. 175 of which are expected to be built in the settlement over the next five years (see Annual Monitoring Report 2020).

3. ANALYSIS

- 3.1 The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. It can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development. The project is addressing an acknowledged issue for those wishing to use non-motorised modes to travel the route between Buckden – Brampton- Hinchingsbrooke – Huntingdon. Further, this would provide a further opportunity for to enable residents to access shopping and services in Brampton and Huntingdon through alternative, sustainable modes. As such the project meets the legal requirements.
- 3.2 The timing of delivery ahead of development ensures that people moving into the village are more likely to adopt active travel modes, In addition, it

provides a sustainable alternative for existing residents to travelling by car. It encourages an active lifestyle with improved health outcomes consequently.

3.3 The scheme, subject of this proposal (appendix 1), has been estimated by CCC to cost £188,391.50. Buckden Parish Council is seeking up to £100,000.00 funding from CIL held by Huntingdonshire District Council. CCC has indicated it will be included in the work to prioritise schemes to be funded by the Delivering Transport Strategy Aims Programme for 2021/22 , and this is to be formally endorsed Other sources of match-funding are being sought by BPC including:

- Buckden and Brampton PCs have already committed £500 towards the scheme's feasibility.
- £75,000 Potential Amey Community Fund (As the project is in close vicinity to the landfill site and meets their funding requirements as it is the provision of a general public amenity).
- £14,000 Potential Mick George Community Fund. (Within the scheme's geographical area).
- £5000 Potential Buckden Parish Council.
- £5000 Potential Brampton Parish Council.
- £20,000 Potential Local Highways Initiative Cambridgeshire County Council.
- Amount to be confirmed – potential funding under CCC's Delivering Transport Strategy Aims Programme for 2021/22.

3.4 The additional funding streams set out above equate to potential total match-funding of at least £119,500. This is likely to result in the amount of CIL monies required to deliver the project being less than the £100,000 sought (Closer to a maximum of £68,891.50 (36.6% of the overall cost) if all other funding is secured).

4. COMMENTS OF OVERVIEW & SCRUTINY

4.1 The Panel discussed the Community Infrastructure Levy Spend Allocation – Buckden to Huntingdon Safe Cycling and Walking Route at its meeting on 3rd March 2021. The Panel expressed gratitude that extra information has been provided and that the scheme is being reconsidered.

4.2 Following a comment by a Member that the Cabinet should consider funding the scheme to a maximum of £80k, the Panel has recommended the Cabinet to approve the allocation of up to £100,000 in CIL funding, subject to the conditions as outlined within the recommendations of the report.

5. RISKS

5.1 The key risks are that if the project is not fully funded it will not go ahead, failing to address a key link in the route and any associated increased uptake in non-motorised travel modes. Match funding will be lost and a

much-needed footpath / cycleway improvement will not be delivered. The growth planned at present does not necessitate the improvements to be delivered through developer contributions and, therefore, relies on a range of alternative funding mechanisms.

- 5.2 Due to the desire to bring the scheme forward, whilst it is noted the project design and costs have not been finalised, the CIL allocation is recommended but on the provision that several factors as outlined in para 10.2 below are addressed satisfactorily prior to a contract being completed and funds issued.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1 CCC has completed the feasibility assessment stage. The next milestones will be:
- Achieve HDC CIL funding Q2 2021
 - Achieve other funding Q3 2021
 - Implement scheme Q3 2021-Dec 2022. CCC advises it will take 10 months to complete the project.

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

- 7.1 This helps to deliver across a number of the Council's priorities for 2018 - 2022 but specifically:
- Support development of infrastructure to enable growth.
 - Improve the supply of new and affordable housing, jobs and community facilities to meet current and future need.

8. LEGAL IMPLICATIONS

- 8.1 Regulation 59 (1) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a charging authority to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. It may also, under Regulation 59 (3), support infrastructure outside its area where to do so would support the development of its area.
- 8.2 Passing CIL to another person for that person to apply to funding the provision, improvement, replace, operation and maintenance of infrastructure is also permitted under Regulation 59 (4).
- 8.3 Section 216 (2) of the Planning Act 2008 as amended by Regulation 63 of the Community Infrastructure Regulations 2010 (as amended) stated that infrastructure 'includes [and is therefore not limited to]:
- roads and other transport facilities,
 - flood defences,
 - schools and other educational facilities,
 - medical facilities,
 - sporting and recreational facilities,
 - open spaces.'

8.4 The levy may not be used to fund affordable housing.

9. RESOURCE IMPLICATIONS

9.1 CIL money can only be spent to deliver infrastructure, in accordance with the legal restrictions on the spending of CIL receipts.

9.2 Subject to member approval of the project outlined this would commit a further £100,000 of CIL funding towards infrastructure projects.

10. REASONS FOR THE RECOMMENDED DECISIONS

10.1 The project has been considered in terms of how it supports growth, deliverability, risks, benefits, outputs, and extent of match funding being provided. The current stage of development of the project has also been considered as have the needs for this pedestrian and cycleway scheme.

10.2 The project is supported, for the reasons outlined in this report.

10.3 The offer is recommended to be time limited (12 months) to enable the above matters to be addressed.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – CCC Project Feasibility Study

Appendix 2 – Buckden Road Map

12. BACKGROUND PAPERS

Section 216 of Planning Act 2008

Huntingdonshire Infrastructure Delivery Plan

<http://www.huntingdonshire.gov.uk/media/2694/infrastructure-delivery-plan.pdf>

Huntingdonshire Infrastructure Delivery Plan – Infrastructure Schedule

<http://www.huntingdonshire.gov.uk/media/2693/infrastructure-schedule.pdf>

Huntingdonshire Infrastructure Delivery Plan Addendum

<http://www.huntingdonshire.gov.uk/media/2861/infrastructure-delivery-plan-addendum.pdf>

Huntingdonshire Infrastructure Funding Statement 2019 -2020

<https://www.huntingdonshire.gov.uk/media/4980/infrastructure-funding-statement-2019-20.pdf>

Annual Monitoring Report 2020 Part 1 (Housing Supply)

(Huntingdonshire District Council)

[Annual Monitoring Report 2020 Part 1 \(Housing Supply\)](http://www.huntingdonshire.gov.uk/Annual%20Monitoring%20Report%202020%20Part%201%20(Housing%20Supply).pdf)
([huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk))

Cabinet Report - Community Infrastructure Levy Spend Allocation (11th February 2021)

[Report Template for Cabinet / Committee Reports](http://www.huntingdonshire.gov.uk/Report%20Template%20for%20Cabinet%20-%20Committee%20Reports.pdf)([huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk))

CONTACT OFFICER

Name/Job Title: Melissa Reynolds, Senior Implementation Officer
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APPENDIX 1 - CCC Project Feasibility Study

PROJECT FEASIBILITY SUMMARY

Privately Funded Highway Improvement (PFHI 19-20)



| | | | |
|---------------------------|-----------------|----------|--------------------------|
| Applicant | Peter Downes | Status | Issued |
| Application Reference No | TBC | Version | 2.0 |
| Assigned Highways Officer | Calvin Mugemuzi | Approved | Anna Chylinksa-Derkwoska |

| | |
|----------------------|-------------------------------------|
| Location of Proposal | B1514 Buckden Road, Brampton |
|----------------------|-------------------------------------|

| | |
|------------------|---|
| Street view Link | https://www.google.co.uk/maps/@52.3126416,-0.2259403,3a,33.6v,45.06h,83.44t/data=!3m6!1e1!3m4!1sitv7Vd88tcTF0Z46977zxcg12e0!7i13312!8i6656?hl=en |
|------------------|---|

| | |
|------------------------------|--|
| Highway Issue or Improvement | <p>The project entails provision of shared use route for pedestrians and cyclists along B1514 Buckden Road, Brampton southbound. The proposed shared route will commence at the Brampton Golf Club and terminate approximately 300 m southbound joining the existing route.</p> <p>In addition, a proposed crossing facility will be constructed within the 30 mph speed limit to facilitate a safe crossing for Non-motorised users (NMU). In doing so, the proposed scheme will provide a link for the pedestrians and cyclists travelling to and from Buckden, Brampton and Huntingdon.</p> |
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| | |
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| Site Assessment | <p>A series of site visits were carried out in order to examine the existing route condition and provide desirable options to attain the scheme objective.</p> <p>Despite no previous road accidents recorded, it is found that the discontinuity of existing shared use route provided inconvenience for cyclists travelling in both directions as they were required to cross along a high speed route, 60 mph in one phase. Therefore, a continuation of the existing off-carriageway facility would be a desirable option to address this.</p> <p>Physical Conditions Existing grass verges and ground level within the highways boundary provides adequate width for the construction of the shared use route. A minimum width of 5.9 m was recorded during the site visit. However, widening of the carriageway will be required to facilitate the construction of a crossing facility.</p> <p>Moreover, existing underground services and drainage will be accounted for during detail design stage. This might increase the cost of the scheme if any alteration is deemed necessary.</p> <p>Levels of use No previous records have been submitted as part of the application. It is therefore paramount to determine the current patterns of pedestrian and cycle use. This can be achieved by conducting a traffic survey factoring in both speed and number of vehicles, number of pedestrians and cyclists travelling to and from their origins and destinations, times of peak flow and potential increase in demand from existing or future developments within the vicinity of the area.</p> |
|-----------------|---|

| | |
|---------|---|
| Options | <p>Option A: Shared use route along with an informal crossing (Refuge island)</p> <p>Option B: Shared use route and a signalised crossing (Toucan crossing)</p> |
|---------|---|

| | |
|------------------|--|
| Optimum Solution | Subjected to PV ² survey, vehicle speed and traffic. Potential of extending the 30 mph speed limit to accommodate either option |
|------------------|--|

| | |
|----------------------|--|
| Supporting Documents | <p>The Parish will be required to provide CCC with a traffic survey report to establish a base line of the proposed scheme, in turn, ensure that there is an adequate demand and likely use of the new route. This is possible by establishing a current pattern of both pedestrians and cyclists.</p> <p>In addition, any informal consultations to be established through all stages of the scheme to gauge public attitude from the outset. This includes and not limited to current users, residents and local businesses.</p> |
|----------------------|--|

| | |
|---------------|---|
| Accident Data | No accidents have been recorded within the scheme extents for the last five years (2014 to 2018 inclusive). |
|---------------|---|

TECHNICAL APPRAISAL OF PROPOSED SOLUTION

| | |
|---|------------|
| Road Safety Benefit and/or Issues | RAG |
| Overall safety of Non-motorised users will be improved as there will be a continuous and well designed shared use route and crossing facility | |

| | |
|---|------------|
| Risks to Delivery | RAG |
| Overall cost of the scheme might increase if a retaining wall is required and relocation of existing underground services is deemed necessary. Additional cost due to COVID will be incurred as well. | |

| | |
|--|------------|
| Effectiveness | RAG |
| Encourages cycling and walking to and from all the potential origins and destinations. Furthermore, integrates well with the existing shared use route | |

| | |
|---|------------|
| Maintenance Considerations | RAG |
| Improved infrastructure to be maintained by Cambridgeshire County Council | |

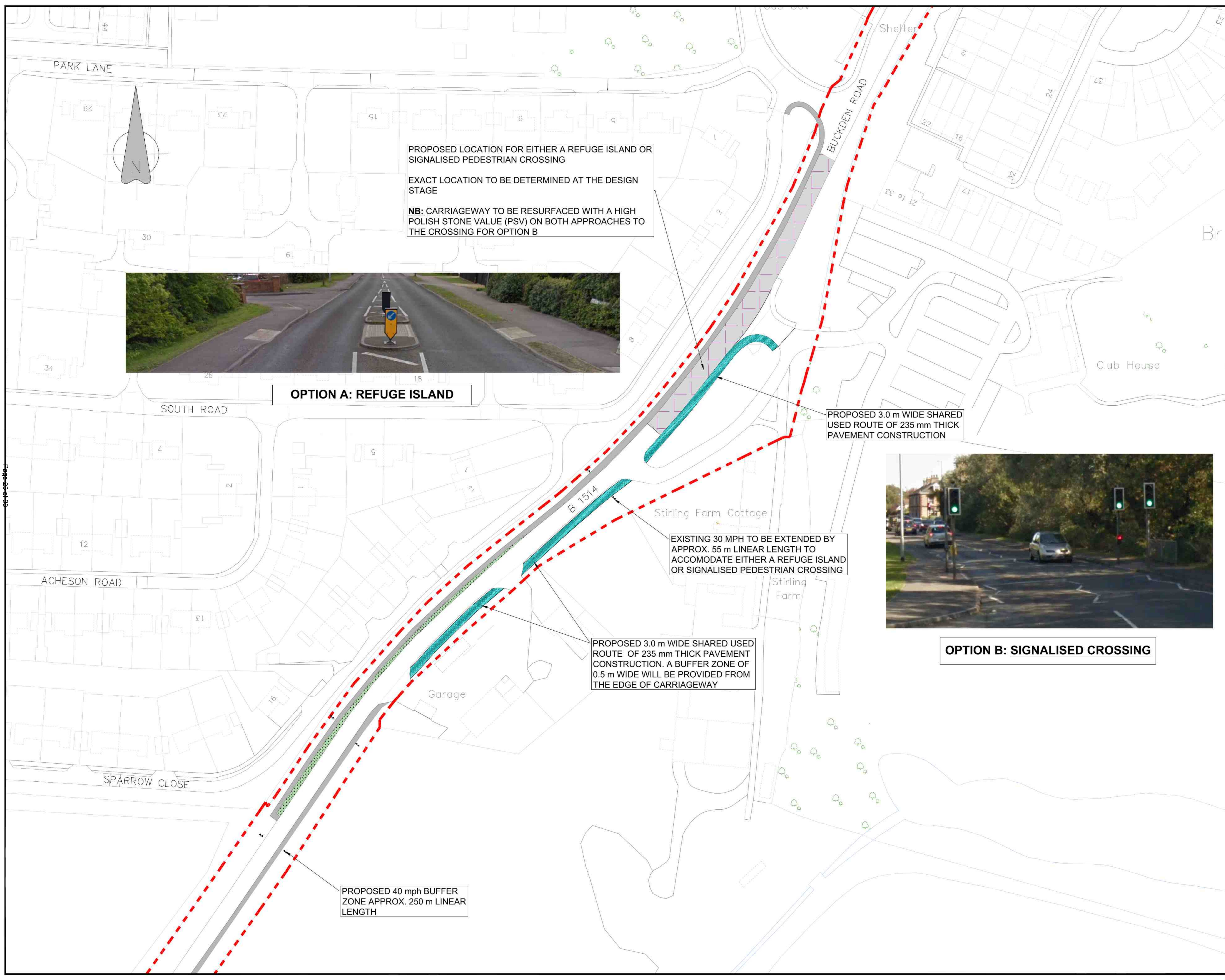
ESTIMATED DESIGN, CONSTRUCTION & OTHER COSTS

| Option A | |
|--|-----------------------|
| Item | Estimated Cost |
| Project Management | £1,265.00 |
| Design (Including Topo survey, Street lighting) | £6,000.00 |
| Independent Road Safety Audit Stage 1&2 | £1,500.00 |
| Legal Traffic Regulation Order (Including 2 No. Newspaper Adverts) | £1,500.00 |
| Temporary Traffic Regulation Order (incl. Footway Closure) | £1,000.00 |
| Construction (Including Traffic Management) | £160,000.00 |
| 10% Risk Contingency | £17,126.50 |
| TOTAL | £188,391.50 |

| Option B | |
|--|-----------------------|
| Item | Estimated Cost |
| Project Management | £1,265.00 |
| Design (Including Topo survey, Street lighting) | £8,000.00 |
| Independent Road Safety Audit Stage 1,2&3 | £3,000.00 |
| Legal Traffic Regulation Order (Including 2 No. Newspaper Adverts) | £1,500.00 |
| Temporary Traffic Regulation Order (incl. Footway Closure) | £1,000.00 |
| Construction (Including Traffic Management, Power connections) | £225,000.00 |
| 10% Risk Contingency | £23,976.50 |
| Committed sum | £35,000.00 |
| TOTAL | £298,741.50 |

| | |
|--|-----------------|
| Estimated duration of the Project | Up to 10 months |
|--|-----------------|

NB: THE ESTIMATED COST DOES NOT TAKE INTO ACCOUNT WORKING RESTRICTED HOURS OR NIGHT WORKS, OTHERWISE, AN UPLIFT FEE WILL BE APPLIED



PROPOSED LOCATION FOR EITHER A REFUGE ISLAND OR SIGNALISED PEDESTRIAN CROSSING
 EXACT LOCATION TO BE DETERMINED AT THE DESIGN STAGE
NB: CARRIAGEWAY TO BE RESURFACED WITH A HIGH POLISH STONE VALUE (PSV) ON BOTH APPROACHES TO THE CROSSING FOR OPTION B



OPTION A: REFUGE ISLAND

PROPOSED 3.0 m WIDE SHARED USED ROUTE OF 235 mm THICK PAVEMENT CONSTRUCTION

EXISTING 30 MPH TO BE EXTENDED BY APPROX. 55 m LINEAR LENGTH TO ACCOMODATE EITHER A REFUGE ISLAND OR SIGNALISED PEDESTRIAN CROSSING

PROPOSED 3.0 m WIDE SHARED USED ROUTE OF 235 mm THICK PAVEMENT CONSTRUCTION. A BUFFER ZONE OF 0.5 m WIDE WILL BE PROVIDED FROM THE EDGE OF CARRIAGEWAY



OPTION B: SIGNALISED CROSSING

PROPOSED 40 mph BUFFER ZONE APPROX. 250 m LINEAR LENGTH

- NOTES:**
- DO NOT SCALE FROM THIS DRAWING
 - THIS DRAWING IS FOR CONSULTATION ONLY
 - ALL STATS INFORMATION ARE TO BE REQUESTED AT THE NEXT PHASE
 - REFER TO THE FEASIBILITY REPORT FOR FURTHER INFORMATION

- KEY:**
- PROPOSED SHARED USE ROUTE
 - PROPOSED CARRIAGEWAY RESURFACING
 - EXISTING FOOTWAY
 - HIGHWAYS BOUNDARY

| Date | Ref. | Revisions |
|----------|------|--------------|
| 28.08.20 | A | OPTIONEERING |



Project
**SHARED USE ROUTE
 BUCKDEN ROAD
 BRAMPTON**

Title
**OPTIONEERING
 GENERAL ARRANGEMENT**

| Scale | Drawn | Checked | Date |
|----------|-------|---------|------------|
| 1:500@A0 | CM | ACD | 28.08.2020 |

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Drawing number
BRAMPTON PFHI 19-20

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Community Infrastructure Levy Spend Allocation – B1040 Wheatsheaf Road / Somersham Road, St Ives Accident Reduction Scheme

Meeting/Date: Cabinet – 18th March 2021

Executive Portfolio: Executive Councillor for Strategic Planning

Report by: Strategic Growth Manager

Ward(s) affected: Holywell-cum-Needingworth Ward, Somersham Ward, and Warboys Ward.

Executive Summary:

The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Huntingdonshire District Council became a CIL charging authority in May 2012.

Local authorities must spend the levy on infrastructure needed to support the development of their area. This helps to deliver across several of the Council's Corporate Plan priorities for 2018 – 2022 but specifically:

- Support development of infrastructure to enable growth
- Improve the supply of new and affordable housing, jobs and community facilities to meet current and future need

Cambridgeshire County Council (CCC) recognises there is an existing significant issue for highway safety at the junction of the B1040 Wheatsheaf Road / Somersham Road, St Ives. This will worsen if further growth is to occur. It is proposing to signalise the junction to address these issues.

CCC has funded and developed initial plans for a deliverable scheme, including a cost estimate, timescales for implementation and details of its match funding.

Recommendation(s):

The Cabinet is recommended to support CIL funding of up to £500,000 as co-funding toward signalising the junction to allow for better management of traffic flow, significantly reducing the risk of accidents.

RECOMMENDED

Approve in principle CIL funding of up to £500,000, subject to:

- Final costings, as detailed design work is still underway;
- Full business plan;
- Confirmation that all of the land required for the project is available; and
- Confirmation of the match funding by CCC and other sources.

The offer recommended is to be time limited (12 months) to enable the above matters to be addressed.

1. PURPOSE OF THE REPORT

- 1.1 To consider a payment of £500,000 from CIL toward the provision of a signalised crossing at the junction of the B1040 Wheatsheaf Road / Somersham Road, St Ives.

2. BACKGROUND

- 2.1 The junction proposed to be improved is at the crossroads between the Somersham Road (B1040), Wheatsheaf Road (to Woodhurst), and Old heath Road (to Bluntisham). It lies 2.42 km northeast of St Ives within the parishes of Bluntisham, Somersham, and Warboys. The roads link St Ives, Somersham, Woodhurst, Bluntisham, and Warboys beyond. St Ives is identified as a spatial planning area in the Local Plan to 2036, reflecting its status as one of the district's four market towns and most sustainable centres. St Ives is projected to grow by at least 430 dwellings and 5.6ha of employment land over the plan period across a number of allocations. In future, any growth north of St. Ives could potentially increase traffic travelling through St. Ives via this route to access the A1307/ A14. Somersham and Warboys are Key Service Centres also designated to receive growth. Woodhurst and Bluntisham are identified as being Small Settlements in the Local Plan to 2036.

- 2.2 CCC has advised, in its application for CIL funding, that:

'The project does not directly relate to new development however with new development proposed at RAF Wyton there is a potential increase in traffic passing through this high-risk junction, specifically with increased traffic from the Warboys/Ramsey area through Pidley.

Higher levels of traffic on the B1040 leaves less gaps for traffic from side roads and therefore increases the level of risk taking by motorists pulling out.

This concept is known as "gap acceptance" i.e. the gap people are willing to pull out into. Fewer gaps and traffic queuing behind mean people are more likely to pull out into smaller gaps in traffic than they normally would be comfortable doing. As the number of developments increase in the area the volume of traffic will increase, therefore resulting in smaller and few gaps. Signalising the junction will allow for better management of traffic flow, significantly reducing the risk of vehicles misjudging gaps between vehicles and pulling out.'

- 2.3 In July 2020 following a review with partners in the emergency services, health services, Highway Authorities and the Road Victims' Trust in which the Cambridgeshire and Peterborough Road Safety Partnership became the Cambridgeshire and Peterborough Vision Zero Partnership, a new Vision Zero Partnership strategy was adopted by CCC. The scheme at Wheatsheaf crossroads has been developed in line with the Safe Roads workstream and following its routine cluster site analysis, which identified

the crossroads as a high-risk location for investigation. Approval to progress the scheme design with budget to be confirmed was given at the Council's Highways and Infrastructure Committee meeting on 10th March 2020.

2.4 CCC has advised, in its application, that:

'The junction is a crossover point between 2 key links within Huntingdonshire. The first links Somersham and villages to the north of St Ives, and the second links Bluntisham to Woodhurst access to the A141 and employment centres to the west.

The accident cluster site at the crossroads is =9th on the cluster site list and is highest on the list for Huntingdonshire...

...Signalising the junction will allow for better management of traffic flow, significantly reducing the risk of vehicles misjudging gaps between vehicles and pulling out.'

2.5 The scheme has been through the feasibility stage and at present the indicative plans provided show a signalised junction (see Appendix 1). Other options have not been ruled out by CCC.

2.6 CCC funding for the scheme has not been confirmed, as it is yet to be advised by Government of its highway allocation. Once funding has been announced it will be taking a report to its Highways & Transport Committee to approve its road safety programme for next year and associated funding. Given the current lack of confirmation from Government and the local elections, it is expected that June 2021 will be the next available opportunity to report to its Committee. It has agreement in principle to allocate its road safety budget to this project, totalling £592k with the remaining funding being from other CCC highway capital budgets.

3. ANALYSIS

3.1 The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. It can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development. The project is addressing the highest accident cluster site in Huntingdonshire, which has sadly resulted included fatal accidents, and is ranked 9th across the county. As such the project meets the legal requirements.

3.2 The Huntingdonshire Local Plan 2036 (HLP2036) recognises St Ives, Somersham and Warboys as locations where growth will occur. The provision of a signalised junction will improve traffic flow and reduce highway accidents. Given the poor record for this junction and its relative importance in the local highway network, it is considered it would be a desirable infrastructure project that meets the requirements of CIL.

- 3.3 The scheme has been estimated to cost £1.2m. CCC is seeking up to £500,000 funding from CIL held by Huntingdonshire District Council. CCC is to provide match funding of £700,000 (58.33%) of the overall estimated cost of £1.2m. It has confirmed there is in principle agreement to allocate the entire road safety budget of £594k towards this project with the remaining funding being from other CCC highway capital budgets.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The Panel discussed the Community Infrastructure Levy Spend Allocation – B1040 Wheatsheaf Road/Somersham Road, St Ives Accident Reduction Scheme at its meeting on 3rd March 2021.
- 4.2 The Panel has highlighted the fact that the site has been the scene of a considerable amount of accidents and that it was pleasing to see the scheme being considered.
- 4.3 The Panel is supportive of the scheme. A suggestion was made that the local Parish Councils should contribute towards the scheme, even if it was just a nominal amount. The Cabinet was then recommended to approve the allocation of up to £500,000 in CIL funding, subject to the conditions as outlined in the recommendations of the report.

5. RISKS

- 5.1 The key risks are that if the project is not fully funded it will not go ahead, failing to address a serious highway issue. Match funding will be lost and a much-needed junction improvement will not be delivered. The growth planned at present does not necessitate the improvements to be delivered through developer contributions and, therefore, relies on a range of alternative funding mechanisms.
- 5.2 Due to the desire to bring the scheme forward, whilst it is noted the project design and costs have not been finalised and land may need to be purchased by CCC to implement it, the CIL allocation is recommended but on the provision that several factors as outlined in para 10.2 below are addressed satisfactorily prior to a contract being completed and funds issued.
- 5.3 The mitigation is that the offer of funding is limited to 12 months from the date of the Cabinet meeting.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1 CCC has advised that it has completed the feasibility assessment stage. The next milestones will be:
- Detailed design - be completed summer 2021.
 - Construction - programmed to commence late 2021/22, potentially spanning two financial years.
 - Completion early 2022/23.

6.2 CCC will be notified of Cabinet's decision following the meeting. If funding is awarded, the next steps would be for CCC to provide the information set out in the recommendation in this report prior finalising the offer. It is recommended that they be given 12 months to provide the information, which allows for project slippage. A contract will be prepared and funds issued in accordance with agreed milestones. Officers will undertake quarterly monitoring of the project if approved.

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

7.1 This helps to deliver across a number of the Council's priorities for 2018 - 2022 but specifically:

- Support development of infrastructure to enable growth.
- Improve the supply of new and affordable housing, jobs and community facilities to meet current and future need.

8. LEGAL IMPLICATIONS

8.1 Regulation 59 (1) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a charging authority to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. It may also, under Regulation 59 (3), support infrastructure outside its area where to do so would support the development of its area.

8.2 Passing CIL to another person for that person to apply to funding the provision, improvement, replace, operation and maintenance of infrastructure is also permitted under Regulation 59 (4).

8.3 Section 216 (2) of the Planning Act 2008 as amended by Regulation 63 of the Community Infrastructure Regulations 2010 (as amended) stated that infrastructure 'includes [and is therefore not limited to]:

- roads and other transport facilities,
- flood defences,
- schools and other educational facilities,
- medical facilities,
- sporting and recreational facilities,
- open spaces.'

8.4 The levy may not be used to fund affordable housing.

9. RESOURCE IMPLICATIONS

9.1 CIL money can only be spent to deliver infrastructure, in accordance with the legal restrictions on the spending of CIL receipts.

9.2 Subject to member approval of the project outlined this would commit a further £500k of CIL funding towards infrastructure projects.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 The project has been considered in terms of how it supports growth, deliverability, risks, benefits, outputs, and extent of match funding being provided. The current stage of development of the project has also been considered as have the needs for this road safety scheme.
- 10.2 The project will provide road junction mitigation measures to enhance junction performance and safety for current and future residents, workers and visitors to the district.
- 10.3 CCC will match fund 58.33% of the project's anticipated cost. This is subject to provision of:
- Final costings, as detailed design work is still underway.
 - Full business plan based on final design.
 - Confirmation that all of the land required for the project is available.
 - Confirmation of the match funding by CCC and other sources.
- 10.4 The offer should be time limited (12 months) to enable the above matters to be addressed.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – Signalised Junction General Arrangement Plan

12. BACKGROUND PAPERS

Section 216 of Planning Act 2008

Huntingdonshire Infrastructure Delivery Plan

<http://www.huntingdonshire.gov.uk/media/2694/infrastructure-delivery-plan.pdf>

Huntingdonshire Infrastructure Delivery Plan – Infrastructure Schedule

<http://www.huntingdonshire.gov.uk/media/2693/infrastructure-schedule.pdf>

Huntingdonshire Infrastructure Delivery Plan Addendum

<http://www.huntingdonshire.gov.uk/media/2861/infrastructure-delivery-plan-addendum.pdf>

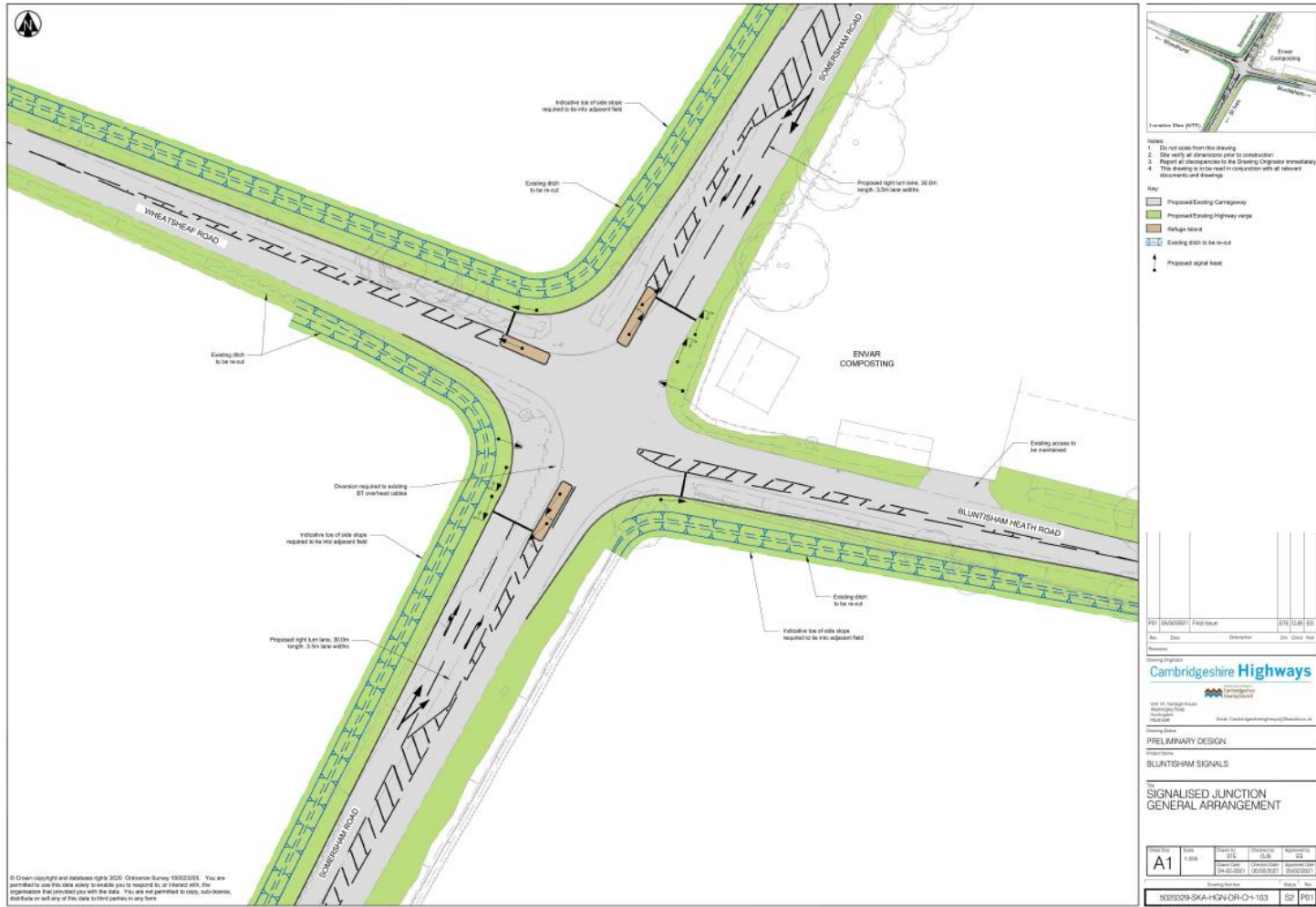
Huntingdonshire Infrastructure Funding Statement 2019 -2020

<https://www.huntingdonshire.gov.uk/media/4980/infrastructure-funding-statement-2019-20.pdf>

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APPENDIX 1 - Signalised Junction General Arrangement Plan



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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Accelerated COVID-19 Towns Programme

Meeting/Date: Cabinet – 18th March 2021

Executive Portfolio: Executive Councillor for Housing and Economic Development

Report by: Interim Corporate Director (Delivery)

Wards affected: All

Executive Summary:

Since the initial work on the prospectuses for growth the Council has been progressing a range of work in the market towns, most notably the submission of a £12M programme to the Future High Street Fund (Ministry of Housing, Communities and Local Government) for St Neots at the end of July 2020.

The Combined Authority also endorsed outline proposals for the Market Towns Fund (prospectuses for growth) for Huntingdon, St Ives and Ramsey in 2020 and initially set out that funding bids could be made against a £1M capital pot per town during 2020/21.

In the Autumn the Cambridgeshire and Peterborough Combined Authority split the funding pot in two with £0.5M for the long term Master Planning in Huntingdon, St Ives and Ramsey and the remaining £0.5M to be used for shorter term projects in response to COVID-19 and the impact on the town centre economy. Bids had to be submitted by 18 December 2020.

A revised set of funding criteria was developed by the Combined Authority for these shorter-term projects initially requiring these projects to be delivered out by March 2021 and post submission revised for projects to be “in delivery” by 31 March 2021 and subsequently for them to be delivered by 31 March 2022. These timescales were changed primarily because of COVID-19 and the national lockdown. All the bids were assessed independently.

Although the timescale was tight the Council submitted capital bids in December 2018 totalling £1.8M. It was anticipated that one or more of the bids would not be successful, however, all the proposals passed the independent assessment and a total of £1.8M of bids was agreed by the Combined Authority Board in January 2021.

This left the Council with two significant challenges, the fact that only £1.5M capital was available at this stage and secondly maintaining a balance of investment across the three towns. On the former, given there is still headroom within the original £1M allocation per town and the projects are at an early stage of development/feasibility this is not seen as a significant issue, providing the overall spending cap of £3.0M is not exceeded by March 2022.

On the latter (given a longer time window now for delivery) further discussions have taken place with Ramsey representatives to see what could be achieved. Although these discussions are still at an early stage on several options it is proposed that a scheme will be substituted into the programme in due course. This will also help to address the balance of the budget provision.

The timescale was extremely tight to get these bids together there are also several factors outside the Council's control that will influence delivery. The initial proposals have been discussed with Town Council representatives at key stages of their development, however, no wider consultation has taken place.

The funding from the Combined Authority is capital and therefore the Council will need to commit revenue resources (primarily staff time) to deliver the projects themselves. This has been estimated to total £300,000 over the next twelve months.

Recommendation:

- (a) That the Cabinet agrees the Accelerated Towns Programme and commits Council staff resources to the value of £300,000 deliver the programme through to 31 March 2022.
- (b) To delegate authority to the Executive Leader in consultation with the appropriate Corporate Director to make any amendments required to the programme through to 31 March 2022.

1. PURPOSE OF THE REPORT

- 1.1 Supporting our town centres is a priority for the Council. Opportunities to secure external investment have been pursued over several years and this has become even more important given the impact of COVID-19 on the economy and our town centres. Whilst the towns in Huntingdonshire have fared well against the larger cities over the past year it is important that opportunities for investment are taken, whilst recognising the bidding criteria. The report sets out the background and proposals in response to the Accelerated Towns capital funding the Cambridgeshire and Peterborough Combined Authority has made available.
- 1.2 To agree the priorities for the short-term capital investment that has been made available by the Cambridgeshire and Peterborough Combined Authority for Huntingdon, St Ives and Ramsey in response to the impact of COVID-19 on the town centres.
- 1.3 To provide a range of interventions that will have a positive impact in the way people access and make the most of visiting the town centres.
- 1.4 To provide an overview of the proposed programme of work which is backed up by the detailed submissions to the Combined Authority and which have been independently endorsed.
- 1.5 To commit Council resources to deliver the £1.8M accelerated towns programme as part of the Market Towns Fund. This will cover a range of interventions in the short term that will enhance the longer-term sustainability of the three market towns.
- 1.6 To recognise that the programme may need to be amended during the year as currently these proposals are at the feasibility stage and final funding agreements are still to be signed with the Cambridgeshire and Peterborough Combined Authority. A delegation is therefore sought to enable any changes that are required to the programme to be made during the year.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The opportunity for capital investment in the market towns commenced well before COVID-19. A bid for St Neots was made to the Ministry of Housing, Communities and Local Government in July 2020 which included market town funding from the Combined Authority of £3.1M.
- 2.2 The Combined Authority also made £1M capital available for Huntingdon, Ramsey and St Ives for Master Planning work following the submission of prospectuses for Growth in February 2020. In Autumn 2020 the Combined Authority revised these arrangements, retaining £0.5M for the master plan work and reallocating the other £0.5M for capital projects in response to COVID-19 in each town.
- 2.3 The initial guidance from the Combined Authority was that as well as meeting the deadline for bidding all the funding had to be spent and

schemes installed by the 31 March 2021. The position from the Combined Authority is now that the projects must be completed, and all capital monies spent by March 2022 as post submission the national lockdown was put in place.

- 2.4 This report contains the programme of proposals that Huntingdonshire District Council submitted to the Cambridgeshire and Peterborough Combined Authority on 18 December 2020 and which was subsequently agreed by the Combined Authority Board meeting in January 2021.
- 2.5 The Combined Authority provided a template for all submissions and bids needed to score a minimum of 75 points to pass the threshold criteria. The bids were independently assessed and although the Council has not seen the final scoring it is understood that all the bids passed the threshold.
- 2.6 The Combined Authority set out some guiding principles for the bidding which is accompanied by a detailed bidding framework, these themes were as follows: -
- Promoting healthier and greener lifestyles
 - Active travel and environmental benefits
 - Enabling a greener economy and improved air quality
- 2.7 Given the extremely tight timescale for bidding that had been set there was not time for detailed community engagement. However, the Council officers did meet with town council representatives in November and discussed the proposals for submission again in December. These high-level proposals have been informally endorsed by the Town Councils at this stage.
- 2.8 The overall vision for the town recovery work was “Minimising the long term social and economic impacts of COVID-19 on our local community and businesses”, which is at the centre of this programme of work.
- 2.9 The submissions for Huntingdonshire District Council were grouped under the following headings:
- Attractiveness of the town centres
 - Access and connectivity
 - Heritage, walking and cycling

Further details on each of the submitted bids are set out in the table below and can be seen in the paper that was considered at the Cambridgeshire and Peterborough Combined Authority Board (Item 3.2 section 2.7)

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1983/Committee/63/SelectedTab/Documents/Default.aspx>

- 2.10 Delivery of this programme to the timetable that was set originally has been extremely challenging. There is a significant amount of work to be undertaken and there was no revenue funding available from the Combined Authority. The Council has therefore had to use revenue

reserves to fund additional programme management support and will be using staff resource to manage the projects.

- 2.11 There is no additional COVID-19 capital funding available for St Neots. A request was made to the Combined Authority for an additional £0.5M, however, the Combined Authority indicated that unfortunately there was no further funding available on top of the £3.1M that St Neots had already received as part of developing the Future High Street Bid. A paper on the £12M investment programme for St Neots is being considered by Cabinet in February 2021 and subject to final agreement by the Cabinet and government work will commence from the start of April.
- 2.12 Since the initial submission further work has been undertaken to look at the proposals for Ramsey. Given the time constraints set by the Combined Authority have been relaxed it is recommended that one of the original schemes is now substituted for a new scheme in Ramsey.
- 2.13 The Huntingdon Riverside scheme would be substituted in time and go onto the reserve list. This would also significantly improve the distribution of the funding between the three towns and bring the committed capital down closer to £1.5M.
- 2.14 A new proposal for Ramsey is currently been worked on and would be submitted to the Cambridgeshire and Peterborough Combined Authority Board at the end of February for consideration at their March meeting. Once this scheme has been endorsed by the Combined Authority the Huntingdon Riverside project will be withdrawn and further details of the new scheme will be shared.

3. ANALYSIS OF OPTIONS

- 3.1 **Preferred Option** - To proceed with the programme agreed by the Combined Authority Board subject to further work on the substitution of the Riverside scheme for a new scheme in Ramsey. The schemes are as follows, further details are set out in the Combined Authority report.

3.1.1 Attractiveness of the Town Centres

- Modern, simplified street furniture
- Modern waste solutions
- Parklets – attractive seating that also acts as physical barriers
- Electric vehicle charging
- Upgraded/ replacement toilets
- Sites for small and medium sized enterprises to trade
- Improved market trader provision and pop up offer

3.1.2 Access and Connectivity

- Riverside frontages – proposal for Ramsey to be substituted*
- Cycle storage
- Smarter towns
- Wayfinding and information
- New proposal for Ramsey to be added*

3.1.3 **Heritage, Walking and Cycling**

- Town walks
- Places to dwell
- Green walks

When the replacement proposal for Ramsey is added it is estimated that the split across the three towns will be 34% Huntingdon, 29% St Ives and 37% Ramsey at this stage. The remaining Master Planning work will then be used to bring this as close as possible to an even split.

3.2 **Exploring a different strategy to the projects**

3.3 The Council could have looked at a different range of projects, however, it was felt the current set of proposals reflected a variety of capital interventions that could improve the longer-term viability of the town centres and provided the best chance of delivery with the timescales the Combined Authority has set.

3.4 The Council could have provided a fund for businesses to bid into for one-off schemes. It was felt that given the criteria that had been set for the bids and the timescale this would not be possible. In addition the Council views our community leadership as really important and by working with the town councils it is anticipated that projects that enhance the visitor experience and attractiveness of the towns can be best be achieved through a co-ordinated programme.

3.5 **Challenging the requirements** – The Council has sought clarification on the programme since the details on the COVID-19 accelerated programme were published in October. There has been some movement on the deadline for submissions and the Council has needed to put forward a suitable set of proposals and that stand the best chance of meeting the threshold for approval. It was felt that it was best to channel our resources into bringing forward and attractive proposition. Given the increasingly difficult supply market, primarily due to COVID-19 but at the time also due to the uncertainty around the transition away from the European Union. The Council has continued to seek clarity on the arrangements and a timescale that is pragmatic. It is very helpful that the Combined Authority has now changed the time constraints, officers had already been proactive in putting some work out to tender at the earliest opportunity.

3.6 **Delay** – There is an option not to push ahead with these short-term interventions and proceed with the original longer-term plans. However, there is a desire to do everything we can to support the towns and the high street during these difficult times. In addition, the Combined Authority stated that unless bids were submitted by the 18 December 2020 then the money would be reallocated.

3.7 **Do nothing** – the Council could have done nothing and there is always a do-nothing option. It is understood this would result in the funding that

had been earmarked for Huntingdonshire returning to the Combined Authority for reallocation.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1 The Panel discussed the Accelerated Covid-19 Towns Programme at its meeting on 3rd March 2021. The Executive Councillor and Officers were thanked for attempting to obtain funding for Covid-19 recovery work in St Neots.
- 4.2 A Member commented that when bidding for the remaining funds, the towns should be treated as evenly as reasonably possible, to ensure they receive an equal share of the allocation.
- 4.3 The Panel was supportive of the proposals and encourage the Cabinet to approve the recommendations within the report.

5. KEY IMPACTS / RISKS

- 5.1 The measurable impact of the interventions on the High Street will be difficult to assess. The Council has moved forward with footfall counters in some of the towns and so the actual number of visitors can be tracked. However, assessing the direct impact of each of the projects will be more challenging.
- 5.2 The bids contain further details of the anticipated impact of each of the projects and it is hoped that this will increase the number of people visiting the towns by improving the attractiveness, providing a wider variety of facilities and increasing the dwell time.
- 5.3 There are a variety of risks associated with this bid which have been set out in the following sections. These have been scored on likelihood and impact where the range is 1-5, with 5 being high/critical.
- 5.4 Capacity and Capability of Resources to deliver – (likelihood 5, impact 4), there are already constraints on Council staff and resources prior to undertaking additional projects such as the Accelerated COVID-19 programme. Discussions are on-going with HDC project leads to assist in managing the delivery of the Accelerated Programme. This work is seen as a high priority, however, further government schemes, worsening economic impacts and additional response work could mean there is reduced capacity to deliver this work. Mitigation: Some additional resource has been brought in to support the programme management, however, further assessment of the revenue resources will need to be considered as the Council moves from feasibility into delivery and to meet the deadlines. Support from the Town Councils has also been requested.
- 5.5 That the Accelerated Programme funding is not equitable across the three Market Towns - (likelihood 5, impact 4). Efforts have been made and continue to be made to ensure that CPCA funding allocation is proportionate across the three Market Towns. It is proposed that one of

the initial projects is replaced with a project in Ramsey to obtain a more even spread of the funding. The aim was to allocate and spend all £1.5M on these COVID projects (which has been achieved) and that any adjustment per town (the additional £0.3M) would be factored into the remaining £1.5M for the longer-term work, agreement would need to be sought from the Combined Authority. If it is not possible to substitute a viable project in Ramsey then this risk will need to be accepted at this stage.

- 5.6 Procurement and Market conditions causing delay - (likelihood 3, impact 4) Several suppliers have already indicated that due to the uncertainty over the transition out of the European Union they are not undertaking new work in January/February. This also places pressure to ensure that procurement is in place to minimise risk of engaging contractors
Mitigation: The Council has undertaken preliminary procurement assessments to manage the need to move at pace and ensure reliability and quality of contracts and services from external suppliers. This may mean projects being delivered in a 'phased approach'. At this stage it is recognised that several of the projects will only be in the early stages of delivery by 31 March 2021.
- 5.7 Risk of COVID-19 Lockdowns and subsequent delays - (likelihood 3, impact 3). The continued uncertainty caused by the COVID-19 pandemic impacts directly on the programme. Council officers continue to liaise with the Combined Authority to ensure flexibility of delivery as a result of COVID-19 constraints is reflected in contracts and letters of Offer.
- 5.8 Timescale slipping – (likelihood 3, impact 4) The timetable that has been set by the Combined Authority for implementation was challenging in October, this has been extended now which is appreciated. Mitigation: It is hoped that the Combined Authority will provide some flexibility within their Letters of Offer.
- 5.9 Financial Risk - (likelihood 4, impact 4) that there is a failure to ensure that the financial implications of the Accelerated Programme and each project are considered prior to implementation. Mitigation: Council Officers have been asked to review costs prior to formal procurement and delivery. To ensure delivery, where appropriate some elements of projects will proceed with agreed, monitored and controlled risk.
- 5.10 Lack of partner support – (likelihood 2, impact 4) Many of the projects involve obtaining permissions, licences or the support of other agencies including the County Council and Town Councils. Mitigation: Support has been sought from senior officers at Cambridgeshire County Council and the town councils, the level of support has been agreed in principle but has not been quantified at this stage.
- 5.11 Legal Risk - Legal Risk (likelihood 3, impact 3) that agreement cannot be reached with the Combined Authority on the programme of work. Mitigation: Officers have worked with the Combined Authority to provide detailed business cases which should mean legal agreements can be

drawn up and agreed. Council has asked for these agreements to be as simple as possible and proportionate.

- 5.12 Delays due to processes and procedures - (likelihood 3, impact 4) All of this work will need to be procured, some officers have already started that process. There is the potential to proceed at risk with some work, however, that would be reliant on the Combined Authority approving a bid and the final offer letters, draft agreements were received on 22 February and are currently being reviewed. Mitigation: Consideration of framework agreements and using existing contract agreements.
- 5.13 Funding agreement delays (likelihood 4, impact 2) It is understood that as well as the detailed bids a funding agreement for each proposal will also be required by the Combined Authority after the Board decision. Mitigation: It is anticipated that delivery work will be able to continue as bids have been agreed in principle and that the paperwork can be kept to a minimum and prepopulated by the CPCA based on the detailed submissions.
- 5.14 Lack of understanding on the Capital considerations (likelihood 2, impact 3) This funding is only capital and there may be projects that contain some revenue considerations in delivery and certainly an ongoing revenue pressure post-delivery. Mitigation: To work closely with officers to try and ensure all expenditure is capital, recognising that any ongoing revenue costs will need to be picked up by the District Council or Town Councils.
- 5.15 Not being able to adjust or substitute projects (likelihood 2, impact 3) All of the proposals are subject to tender. Therefore, it is very likely that some quotes will come back higher than anticipated, others lower. Mitigation: Flexibility is being sought from the Combined Authority to adjust the programme and the themes providing the overall funding envelope is not exceeded.

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

- 6.1 The Corporate Plan sets out the policies, aspirations and objectives on an annual basis and was updated in 2020. Several strands of work were added to reflect the additional requirements as a result of COVID-19. Supporting the viability of the towns in Huntingdonshire remains a priority.
- 6.2 The Council is also refreshing the suite of plans and strategies which has commenced and will be completed in the next 15 months.

7. CONSULTATION

- 7.1 There has been informal consultation on these proposals with the Town Councils and the Cambridgeshire and Peterborough Combined Authority.

8. LEGAL IMPLICATIONS

- 8.1 There are a several legal considerations associated with this work which are as follows:
- 8.2 Contracts will need to be drawn up with a variety of providers, it is anticipated that these will follow the Council's standard terms and conditions.
- 8.3 State Aid - because the Council is using public money in the towns then we need to ensure that we do not breach any State Aid legislation. Discussions have taken place with 3C Legal and the investment proposals have been shared. This is a complex area and the Council will need to regularly review this throughout the next few months to ensure the projects comply.

9. RESOURCE IMPLICATIONS

- 9.1 Delivering this programme of work will require the commitment of at least a dozen officers on just overseeing the projects. The anticipated HDC resource is £225,000 in officer time. In addition programme management support has been brought in to drive the programme forward and liaison with the Combined Authority, it is proposed that £75,000 is committed for this vital support to continue in 2021/22 from COVID-19 related revenue funding or reserves.
- 9.2 This work is against a backdrop of responding to COVID-19, the wider Council recovery work, delivering a range of projects the Council has already committed to and business as usual.
- 9.3 This is stretching the Council's resources to the limit and without any revenue funding to progress the work this presents a significant challenge. The Council will have spent up to £50,000 in additional programme management support through to the end of March 2021 and whilst this will help in holding the programme together this does not provide for delivery support on the ground.
- 9.4 There is a possibility in that delivering this programme other Council priorities could slip, securing people with the right knowledge, skills and experience to deliver the work will be essential.
- 9.5 There is potential to look at earmarked reserves to fund additional resource, however, given the current financial climate this has not been recommended at this stage.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 Given that capital funding is available from the Cambridgeshire and Peterborough Combined Authority to undertake these projects to support Huntingdonshire, Ramsey at St Ives it is recommended that the Council proceeds with this programme.

10.2 The timescale that the Combined Authority has set will be challenging for some of the projects that have been proposed, however, the recommendation is that these are the right things to do to support the towns in the short term.

11. LIST OF APPENDICES INCLUDED

None

12. BACKGROUND PAPERS

Exempt - Individual bid submissions which are available on request

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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 Panel discussed the Lettings Policy Review at its meeting on 4th March 2021.
- 4.2 Members thanked Officers for the production of the Policy and stated that it reads well and is clear to follow.
- 4.3 A comment was made that applicants who require additional support should receive that support during the renewal process. It was noted that applicants could receive assistance from a support worker or a family member so long as they have indicated that they require support at the point of original application.

4.4 Members commented that the wording could be clearer in relation to an applicant's connection with the area via Ministry of Defence. It was clarified that where it states, 'death was attributable to that service', this means death in service.

4.5 The Panel fully support the policy and encourage the Cabinet to endorse the recommendation contained within the report.

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

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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 now 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: 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 Panel discussed the Local Lettings Plans – Alconbury Weald and Future Plans at its meeting on 4th March 2021.

3.2 A concern was raised regarding a democratic deficit if future local lettings plans are going to be enacted via delegated powers. However, it was recognised that this would allow for more flexibility on the timescales.

3.3 A comment was made that local lettings plans should not distort the waiting list, however it was noted that local lettings plans are highly specific and care is taken not to override the general lettings policy.

3.4 The Panel supported the use of local lettings plans in helping to create mixed and balanced communities and encourage the Cabinet to endorse the recommendations contained within the report.

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 \(previously known as Bearcroft Farm\) Local Lettings Plan](#)

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