



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

*Kelham Hall
Newark
Nottinghamshire
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Chairman: Councillor R.B. Laughton
Vice-Chairman: Councillor T. Wendels

Members of the Committee:

Councillor Mrs K. Arnold
Councillor Mrs B.M. Brooks
Councillor Mrs C. Brooks*
Councillor Mrs I Brown
Councillor M. Buttery

Councillor R. Crowe
Councillor K. Girling
Councillor Mrs S.M. Michael
Councillor A.C. Roberts
Councillor D. Thompson

Substitutes:

Councillor D.J. Clarke
Councillor Mrs G.E. Dawn
Councillor Mrs P. Rainbow
Councillor Mrs S. Soar
Councillor Mrs L.M.J. Tift

AGENDA

MEETING: Homes & Communities Committee

DATE: Monday, 13 March 2017 at 6.00pm

VENUE: Room G21, Kelham Hall

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Helen Brandham on 01636 655248.

AGENDA

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CONFIDENTIAL AND EXEMPT ITEMS

None

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 16 January 2017 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor R.B. Laughton (Chairman)
Councillor T. Wendels (Vice-Chairman)

Councillors: Mrs K. Arnold, R.V. Blaney (ex-officio) Mrs B.M. Brooks,
Mrs. C. Brooks, M. Buttery, R. Crowe, K. Girling, Mrs
S.M. Michael and A.C. Roberts

ALSO IN ATTENDANCE: Councillors: P.C. Duncan, D.R. Payne, D.B. Stapes and Mrs P. Rainbow

85. APOLOGIES FOR ABSENCE

An apology for absence was submitted by Councillor Mrs I. Brown.

86. DECLARATION OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED: that the following Members declared an interest in the items shown below:

Councillor Mrs K. Arnold	Agenda Item No. 5 – Homes & Communities Committee Revenue Budget – Grants & Concessions – Personal Interest – Member of Blidworth Parish Council.
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Councillor M. Buttery	Agenda Item No. 5 – Homes & Communities Committee Revenue Budget – Grants & Concessions – Personal Interest – Member of Rainworth Parish Council.
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Councillor R.B. Laughton	Agenda Item No. 5 – Homes & Communities Committee Revenue Budget – Grants & Concessions – Personal Interest – Member of Nottinghamshire County Council – Division covers Farnsfield Parish Council.
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87. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED: that there would be an audio recording of the meeting undertaken by the Council.

88. MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2016

AGREED (unanimously) that the Minutes of the meeting held on 7 November 2016 be approved as a correct record and signed by the Chairman.

89. HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET – GRANTS & CONCESSIONS

The Committee considered the report presented by the Director – Safety in relation to current grants given to a small number of parish councils, which fell within the budget remit of the Homes & Communities Committee for 2017/18 and/or future years.

It was reported that the Council currently paid four grants, totalling approximately £30,000 to three parish councils to cover their loan payments in respect of loans taken out some considerable time ago. The details of the arrangements, all of which had been made a minimum of 20 years ago, were set out in the report and these were in relation to the following parish councils: Farnsfield; Rainworth; and Blidworth. It was also reported that despite a thorough search of both the district and parish records, it had not been possible to locate any formal agreement by the District Council to make the grant payments. It was therefore presumed that the decision relating to these grants had been taken under officer delegated powers when the loans had first been taken out some 20 plus years ago.

Paragraph 3 of the report provided detail of the additional monies that would need to be raised by each parish council through their precepts, should the District Council decide to withdraw the grants. It was noted that parishes would in likelihood have already made decisions about their precepts and budgets for 2017/18 and therefore, if the Committee withdrew the grants, it would be reasonable to give a period of notice of such withdrawal.

Members expressed concern that the original agreements could not be located. A Member of the Committee queried as to why this had not been raised in previous years and added that it was unreasonable to expect the parishes to amend their precepts at this time. In response, the Director – Safety referred Members to paragraph 3.3 of the report where it suggested that a period of notice of withdrawal would be reasonable. In relation to the timing of the report, the Director advised that the budgets for each of the Committees had been carefully scrutinised and this matter had been brought up at the informal budget briefing held in December 2016.

A Member stated that it would be appropriate to negotiate with the parishes as some of them would be more able to make their own repayments than others, referring to the Community Infrastructure Levy (CIL) monies that one of the parishes had received.

A non-Committee Member who was in attendance stated that it was important to review the ongoing loan agreements. He commented that there must be equity of treatment between the parishes, citing that the Council had provided financial assistance to Newark Town Council. In response, the Chairman stated that the report in question did not relate to devolution but was about a straight forward agreement between the District Council and the parishes.

The Leader of the Council, who was in attendance at the meeting, stated that the loan in relation to Rainworth Parish Council would resolve itself since this ran to term in July 2017. Farnsfield Parish Council had received a substantial sum from CIL monies and therefore should have no difficulty in taking on their own liability. In relation to Blidworth Parish Council, he noted that there was two years remaining on their loan and that they did not qualify for receipt of CIL monies. Discussions would therefore need to be held with them about the matter.

In concluding the discussion, Members agreed that there was a different situation with each parish council noting that the loans matured at different times. Also, due to the implications of terminating the grants the parish councils should be given a period of 12 months for negotiations to be undertaken.

AGREED (unanimously) that Officers negotiate with the relevant parish councils in the context of their taking on the responsibility of future repayments against the loans as detailed in the report, with effect from the financial year 2018/2019, particularly in relation to the parish council that had received monies from the Community Infrastructure Levy.

90. HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET 2017/18 – 2021/22

The Committee considered the report presented by the Assistant Business Manager – Financial Services which provided information on the budget and scale of fees and charges for the areas that fell within the remit of the Committee for 2017/2018 and future years.

It was reported that the final budget would be presented to the Policy & Finance Committee in February together with any comments or recommendations from this Committee.

A Member of the Committee commented that it would be beneficial if the figures contained within Appendix B, Fees and Charges, were rounded up to assist with the application of VAT.

In response to how the level of fees and charges in respect of licensing matters were set in general terms, the Business Manager – Environmental Health & Licensing advised that the Council was required to set these on a cost recovery basis. It was difficult to undertake accurate benchmarking with other councils as each authority was required to charge according to the costs incurred by their particular local authority.

The Leader of the Council queried the figures quoted in relation to Codes 932 – Fees and Charges and 938 Fees and Charges and why a drop of a third in income was being budgeted for. The Assistant Business Manager – Finance Services advised that she would provide Members of the Committee with a written response.

AGREED (unanimously) that:

- (a) the final Committee budget as shown at Appendix A be recommended to Policy & Finance Committee at its meeting on 23 February 2017 for inclusion in the overall Council budget; and

- (b) the scales of fees and charges as shown at Appendix B be recommended to Policy & Finance Committee at its meeting on 23 February 2017 and Council on 9 March 2017.

91. ADOPTION OF FLY-GRAZING GUIDE

The Committee considered the report presented by the Business Manager – Community Safety in relation to the work that had been undertaken around the subject of ‘fly-grazing’ in the district. A guidance document had been prepared for managing the illegal placement of horses and was presented to Members for adoption.

The report provided the Committee with background information surrounding the illegal placement of horses on land and the associated risks thereof. It highlighted that the practice could cause welfare issues for the animals and was often distressing for members of the public who frequently reported the matter to the Council with an expectation that they would act in such a situation. It was reported that the guidance had been drafted which set out the range of legislation that could be used to deal with fly grazing and the various contacts that were of use in such cases. A consultation exercise seeking views from the public and other stakeholders had been undertaken and the responses received had been, in general, of a positive nature.

Members, of the Committee and also others in attendance, discussed the legalities of removing horses when there were issues around the animal’s welfare. It was noted that only a Police Constable or an authorised Animal Welfare Officer (AWO) could authorise this but only after a period of 96 hours. Members agreed that this was too long and on occasion an immediate response was required. The implications of removing the animals was also discussed, in that the cost would be borne by the Council. Members agreed that if an animal was removed because it was suffering, the owner should be liable for costs.

The Business Manager – Environmental Health & Licensing advised that some of the EHOs in his Business Unit were authorised as Animal Welfare Officers albeit were not experts in the welfare of horses. The Business Manager – Community Services stated that he would investigate this aspect further.

AGREED (unanimously) that:

- (a) the report be noted and the adoption of the guidance document be approved; and
- (b) the offer from Help the Horses to assist the Council in dealing with cases of abandoned horses be accepted and that a Service Level Agreement on the basis as set out in Paragraph 3.10 of the report be entered into.

92. SHARED EMPTY HOMES OFFICER WITH MANSFIELD DISTRICT COUNCIL

The Council considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with details of a potential joint arrangement with Mansfield District Council (MDC) to share an Empty Homes Officer who was employed by MDC at present.

The report set out that reducing the number of empty homes was one of the Council's strategic priorities within the remit of 'Homes'. Following the Committee's previous resolution to explore the feasibility of sharing an Empty Homes Officer resource with a neighbouring authority, discussions had been held with MDC who had indicated that they would be willing to enter into a shared service. It was proposed that their Empty Homes Officer would work for Newark and Sherwood DC for 2 days per week with a specific remit.

Members were supportive of the proposal stating that long term empty properties often blighted the surrounding neighbourhoods, especially in smaller rural communities. It was noted that the Officer would concentrate on the stubborn, 2 plus years, empty properties and that every effort would be made to bring this back into use. Members commented that they would wish to forward information to the Officer, when in post, of long term empty properties in their respective wards.

Members asked that the effectiveness of the work be monitored and reported back to Committee after a period of 12 months.

AGREED (unanimously) that:

- (a) the proposal to share the Empty Homes Officer with Mansfield District Council as detailed in the report be supported and approved.
- (b) approval be given for the arrangement to be initially for a 12 month period; and
- (c) approval be given to fund the arrangement at a cost of £12,981 to be allocated from the Strategic Priorities Invest to Save Committee Fund.

The meeting closed at 7.00pm

Chairman

DCLG £40M HOMELESSNESS PREVENTION PROGRAMME

1.0 Purpose of Report

1.1 To inform Members of the outcome of two collaborative bids to the Department for Communities and Local Government (DCLG) Homelessness Prevention Programme and subsequent commissioning proposals for a new County-wide rough sleeper service.

2.0 Programme

2.1 On the 17 October 2017 DCLG launched a £40 million Homelessness Prevention Programme. The aim of the funding is to enable an end-to-end response to homelessness prevention and reduction, building on the government's commitment to tackling homelessness by ensuring everyone has access to the support they need as early as possible, including improving mental health services and access to employment.

2.2 The programme comprised of three separate funds for local authorities to apply for:

- £20 million to establish a network of ambitious **Homelessness Prevention Trailblazer** areas to develop innovative new approaches to prevent homelessness.
- A £10 million **Rough Sleeping Fund** to enable local areas to intervene early with rough sleepers before their problems become entrenched.
- £10 million of **Social Impact Bond** funding to turn around the lives of the most entrenched rough sleepers by getting them into accommodation and addressing their complex needs through personalised support.

2.3 All seven local authorities within Nottinghamshire, Nottingham City Council and Framework Housing Association collaborated to develop and submit two partnership bids for the Trailblazer fund and the Rough Sleepers fund.

Homelessness Prevention Trailblazer Bid

2.4 The proposals for North Notts concentrated on meeting the needs of single homeless people in housing need and preventing homelessness, centred on a 'Housing First' approach, which would completely transform current delivery models. The Housing First model seeks to provide permanent affordable housing solutions with community-based support services wrapped around individuals to sustain tenancies and avoid repeat homelessness.

2.5 £456,500 was in the bid for North Notts (covering a three year period) to deliver this model, which would involve the recruitment of four co-ordinators to source and maximise access to affordable housing and four support workers to facilitate and provide tailored community based support.

2.6 The positive health outcomes proposed as part of this bid were captured in an accompanying letter of support from David Pearson, the Corporate Director for Adult Social Care, Health and Public Protection at Nottinghamshire County Council.

Rough Sleepers Bid

- 2.8 The principal mechanism proposed for delivering a countywide response to rough sleeping is through the establishment of a new Nottinghamshire Rough Sleeper Prevention Service (NRSPS) provided by a dedicated team who are experienced in working with this service user group. This included a proposal to second a nurse from the NHS Homeless Health Team to carry out health assessments, with access to internal health data systems.
- 2.9 This team would work in partnership with Housing Options teams and local services working with the homeless and vulnerably housed (both statutory and non-statutory) across Nottinghamshire, to identify those at risk of rough sleeping or in danger of losing their accommodation.
- 2.10 NRSPS would look to resolve the immediate housing crisis before sourcing and coordinating the appropriate support. All service users will have an Individual Support Plan which will identify key areas of support (including employment and training).
- 2.11 It is proposed NRSPS will operate a street outreach service across Nottinghamshire. Working to the principles of NSNO (No Second Night Out) will minimise the length of time a person might have to sleep rough. The Team would identify emergency accommodation (direct access, bed and breakfast etc.) during which time, assessments would take place. The existing Nottingham City Rough Sleeper Freephone Hotline which supports the national Streetlink service would also be rolled out county-wide.

3.0 DCLG response and bid outcomes

- 3.1 On 21 December 2016 DCLG announced that interest in the programme was very high, with a total of 225 eligible bids across the three funds. This included 122 to the Prevention Trailblazers, 89 to the Rough Sleeping Grant and 14 to the Social Impact Bond funding.
- 3.2 Over 40 policy officials from DCLG, including financial and analytical specialists, were involved in sifting and assessing the bids, along with colleagues from the Department of Health, the Department for Work and Pensions, the Cabinet Office and the Ministry of Justice. The final decisions were made by DCLG Ministers.
- 3.3 DCLG highlighted the range of ideas and creativity that had gone in to a number of the bids, showing gratitude for the thought and effort that partners put into the bids.
- 3.4 The Rough Sleepers bid was successful, with an award being made of **£371,350**. Unfortunately, the Homeless Prevention Trailblazer bid was unsuccessful. A full list of all the successful bids is available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/584760/Homelessness_Prevention_Programme_-_Successful_bids.pdf.

4.0 Commissioning Proposals

4.1 As the lead authority in the bid, it is proposed that Nottingham City Council will take responsibility for commissioning this new service and drawing down £371,350 from DCLG over two years on behalf of the partnership. Framework Housing Association have also committed £300,000 match funding for the service. It is proposed to create a steering group of representatives from all the local authority areas to develop contract specifications, prepare data sharing agreements and to oversee commissioning and performance management arrangements. It is proposed operational delivery will be from two locations, in Nottingham City and Mansfield.

5.0 Equalities Implications

5.1 A collaborative Equality Impact Assessment will be undertaken in order to take into account the specific needs of persons with protected characteristics to ensure the Council's responsibilities under the Equalities Act 2010 will be fully considered and met.

6.0 Impact on Budget/Policy Framework

6.1 The additional resources required to establish the Nottinghamshire Rough Sleeper Prevention Service will be met from funds successfully secured from DCLG by the Nottinghamshire partnership, working alongside existing budgeted staff and resources, with no additional financial burden to the Council.

7.0 RECOMMENDATION

That the Committee consider the contents of this report and support the proposal set out to establish a new Nottinghamshire Rough Sleeper Prevention Service utilising funds successfully secured through the Government's Homelessness Prevention Programme.

Reason for Recommendation

To demonstrate the Council's commitment to preventing homelessness, tackling rough sleeping and supporting collaborative working on an innovative county-wide project.

Background Papers

Full bid prospectus and copies of completed application forms can be made available if required.

For further information please contact Leanne Monger, Business Manager – Housing and Safeguarding on extension 5545.

Karen White
Director – Safety

COUNCIL HOUSING ALLOCATION SCHEME - IMPLEMENTATION UPDATE

1.0 Purpose of Report

1.1 To provide the Committee with an update on the implementation of the Council's Housing Allocations Scheme and to recommend some minor amends to the Scheme previously approved by this committee on 12 September 2016, in readiness for its formal launch on 3 April 2017.

2.0 Implementation Update – from Newark and Sherwood Homes

2.1 The technical elements of Capita have been updated to reflect the rules established by the new Scheme. These are being tested and will be ready for go live in April 2017.

2.2 Re-registration of existing applicants is due to take place during February 2017. This will ensure that when the new Scheme goes live, the information needed to correctly band applicants is in place.

2.3 The on-line application platform is under construction and first drafts are currently undergoing amendments.

3.0 Minor Amends

3.1 During this implementation phase and as part of the comprehensive redesign of operational procedures and reconfiguration of IT systems, Council and Company Officers have identified some minor amends required to clarify and better inform applicants/ organisations on specific matters, detailed in the proposed amendments set out below.

3.2 These proposed amendments include:

- Introduction – additional text to identify that NSH owned properties and RP allocations may differ from this policy;
- Legislative Framework – a paragraph of text has been inserted to inform that legislation and guidance may change from time to time and the Scheme will use the most up to date of these, although they may not be named in the policy;
- Additional preference for Armed Forces – an amendment referring to the 'Armed Forces Covenant' as opposed to the Community Covenant .
- Local Connection – additional paragraph inserted to reflect the local connection criteria used for new build properties;
- Asylum and Immigration – replacement text to adhere to the amended regulations which has changed eligibility of households;
- Exclusions – paragraph one has had a specific piece of legislation removed which is expected to change to ensure the Scheme remains as up to date as possible;
- Band Two – Applicants Requiring Move on Accommodation – to address an omission and incorporate Care Leavers into this banding, like they are in the current Scheme.
- Suitability Criteria for Properties – a paragraph of text has been added to inform of changes to eligibility criteria to reflect operational procedures to manage low demand.

3.3 An updated Housing Allocations Scheme is attached at **Appendix A** for the Committee's approval.

4.0 Equalities Implications

4.1 No equalities implications have been identified during implementation or from the proposed minor amends.

5.0 Impact on Budget/Policy Framework

5.1 There are no financial implications identified from the proposed amendments to the Housing Allocation Scheme.

6.0 RECOMMENDATIONS that:

- a) the progress being made to implement the new Council Housing Allocations Scheme be noted; and
- b) the proposed minor amends and final Scheme (attached at Appendix A) be approved and delegated authority be given to the Director – Safety to approve any further minor amends required that do not require formal consultation, to ensure the Scheme continues to adhere to statutory requirements and operational practice.

Reason for Recommendations

To progress implementation of a new fit for purpose Housing Allocations Scheme which is a statutory requirement under the Housing Act 1996.

Background Papers

Nil

For further information please contact Leanne Monger, Business Manager – Housing and Safeguarding on extension 5545 or Dave Newmarch, Assistant Director – Housing Management and Responsive Repairs for Newark and Sherwood Homes on 01636 655455 or dave.newmarch@nshomes.co.uk.

Karen White
Director – Safety

Front Cover Space
NSDC HOUSING ALLOCATION SCHEME

1. INTRODUCTION AND LEGAL BACKGROUND

Newark and Sherwood District Council (NSDC) operates an Allocation Scheme ('Scheme') which is implemented and managed by its wholly owned housing management company, Newark and Sherwood Homes (NSH).

Council housing, properties owned by NSH and some Registered Provider (RP) properties (where NSDC has 'Nomination Rights') are let to people in accordance with this Scheme. NSDC has Nomination Rights to most RP properties in the district. This means NSDC nominates applicants on the Housing Register who are successful in 'bidding'. However, the allocation of NSH owned properties and RP Allocation Schemes may differ to this Scheme and each will make the final decision as to who properties are offered to. If you wish to view a copy of their allocation policy you should contact the provider direct. Some RP's keep their own Housing Register and Applicants can apply to join these individually.

Applicants who are not currently NSDC tenants are defined as 'Housing Applicants'. This will include applicants who are current tenants with a RP.

Current NSDC Tenants

All NSDC tenants who have held their current tenancy for at least one year may apply for a transfer. These are defined as 'Transfer Applicants'. This time period may be relaxed where a move is required to either meet an evidenced medical or social need of a member of a household, address under occupancy or in the interests of effective and efficient use of stock.

Transfer Applicants will be required to give up their existing property as a condition of granting them a tenancy of another property, although their status as a tenant will be unaltered and their rights under the Right to Buy will remain uninterrupted.

Legislative Framework

It is a requirement under Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 that all Local Housing Authorities must have and publish an Allocation Scheme and ensure that properties are allocated according to that Scheme. This Allocation Scheme has taken into account all of the legal requirements outlined in Part VI and other relevant Acts and statutory guidance as may be amended from time to time.

This Scheme will make reference to specific pieces of legislation or guidance. The reader should note that both can be amended from time to time. Any amendments which alter the meaning of this Scheme will be available online until such time this Scheme requires formal amendment.

Reasonable Preference

The legislation requires that an Allocation Scheme must be framed to give Reasonable Preference to certain categories of people as follows:

- 1 people who are homeless (within the meaning of Part VII of the 1996 Act);
- 2 people who are owed a duty by any Local 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);

3. people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
4. people who need to move on medical or welfare grounds, including grounds relating to a disability;
5. people who need to move to a particular locality in the district of the Local Authority where failure to meet that need would cause hardship (to themselves or to others).
6. Applicants from these Reasonable Preference categories are placed within Bands One to Three of the Housing Register (discussed in more detail in Section 6 – Applicant Bandings) in order to give them Reasonable Preference over other applicants.

Please note that those applicants, who would fall within a Reasonable Preference category, will not qualify if they are subject to any of the exclusions set out in Section 3 – Exclusions of this Scheme.

Armed Forces

The Armed Forces England Regulations 2012, provide that Additional Preference must be given to an applicant with urgent housing needs who falls within one of the Reasonable Preference categories referred to above if:-

1. S/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributed (wholly or partly) to his/her service; or
2. S/he has formerly served in the regular forces; or
3. S/he has recently ceased or will cease to be entitled to accommodation provided by the Ministry of Defence following the death of his spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service; or
4. S/he is serving or has served in the reserved forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service

Forces are defined as “regular forces” are the Royal Navy, Royal Marines, The Army and the Royal Air Force. “Reserved forces” are the Royal Fleet Reserve, The Royal Naval Reserve, The Royal Marines Reserve. “The Army Reserve” are the Territorial Army, The Royal Air Force Reserve or Royal Auxiliary Air Force.

NSDC usually define former and serving members of the armed forces as:

1. People who left the regular Armed Forces within the last 10 years, except those dismissed under Section 265 as set out in Schedule 3, Part 2 of the Armed Forces Act 2006.
2. Serving members of either the regular or reserve Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
3. Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner

Additional Preference for Armed Forces

An applicant who has been assessed as having Reasonable Preference and who meets the additional preference criteria will be have their banding increased by a maximum of one band. Those already awarded Band 1 will be given an additional six months waiting time.

Consideration has also been given to **the Armed Forces Covenant** (signed on 16 July 2013) between the Armed Forces community, Armed Forces Charities, Newark and Sherwood District Council and Newark and Sherwood Homes. More information about this can be found at www.newark-sherwooddc.gov.uk/communitycovenant/.

Right to Move Regulations

The Allocation of Housing (Qualification Criteria For Right To Move) (England) Regulations 2015 (the 2015 Regulations) provide that local authorities must not disqualify certain applicants on the grounds that they do not have a local connection with the authority's district. Specifically, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who:-

1. Has Reasonable Preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, **and**
2. need to move because the tenant works in the district, **or**
3. need to move to take up an offer of work.

A Relevant Person has a need to move for the purpose of the 2015 Regulations if the Applicant:-

1. Works in the district of the local housing authority, **or**
2. Has been offered work in the district of the local Housing Authority **and**
3. The authority is satisfied that the relevant person has a genuine intention of taking up the offer of work.

The 2015 Regulations does not apply if work is short term or marginal, ancillary to work in another district or voluntary.

NSDC has opted for the minimum quota as allowed from guidance due to the high number of applicants on the Housing Register with identified housing need and low number of allocations that become available each year. The quota is therefore set at 1% of housing allocations forecasted for the coming year, based on the actual number of allocations in the previous year.

This will be reviewed annually and altered if required.

Equal Opportunities

NSDC and its partners are committed to promoting equal opportunities and anti-discriminatory practises in the services it provides. It is committed to giving all applicants an equal opportunity to obtain housing, whatever their age, disability, gender, race and nationality, religion or belief, transgender identity or sexual orientation.

Data Protection

Applicant's details will only be disclosed to a third party with either the Applicant's consent, or lawfully (where one of the exemptions under Data Protection legislation applies) with other relevant agencies including but not limited to the Police, Health Service, Social Services and RPs.

By returning an application to us, applicants are giving their consent for NSDC and NSH to process and hold sensitive data which will be used in the assessment of the application and may be used for the delivery of other services provided.

2. REGISTRATION

Applications for housing are administered and processed by NSH on behalf of NSDC. More information is available from <http://www.nshomes.co.uk/applying-for-a-home> or by telephoning NSH Customer Access Service on 0845 2585550.

Every Applicant must complete an application form together with all relevant and supporting information required and submit this to NSH for registration.

Properties that become available to let will usually be offered to applicants on the Housing Register. Applications for housing will normally be completed online via www.nshomes.co.uk.

Applicants can request advice and assistance in completing their application form from NSH, this may include translation where required.

Once registered Applicants are placed on the Housing Register and provided with a bidding number.

Who Can Apply

Anyone aged 16 years or over can apply to go on the Housing Register if they have a local connection and is not subject to immigration control as set out in Asylum and Immigration status.

An Applicant cannot usually be offered a tenancy until they are 18 years old. However in certain circumstances a tenancy could be offered and held in trust until the applicant reaches the age of 18. This will be assessed on a case by case basis and subject to NSDC/NSH senior officer approval.

Local Connection

To join the Housing Register, an Applicant must usually have been resident in the District of Newark and Sherwood for the following time periods or qualifying criteria:

1. 2 consecutive years **or**;
2. 3 out of the last 5 years **or**;
3. 5 or more consecutive years in which family members have been resident within the District (family members include parents, those with parental responsibility or guardianship, grandparents and siblings);
4. be in employment for an average of 16 hours per week for the last 6 months or more within the district **or**;
5. Applicants who are statutory homeless **or**;
6. Special conditions might include, but is not limited to, the need for specialist medical or support services which are available only in NSDC, Right to Move Regulations **or**;
7. Former and serving members of the armed forces*.

*Section 315 of the 2008 Act amends s.199 of the 1996 Act so that a person serving in the Armed Forces can establish a local connection with a district through residence or employment there, in the same way as a civilian person.

Some new build affordable housing units typically secured on a market housing development through a planning agreement called a Section 106 Agreement or through a rural affordable housing scheme will detail a more specific local connection criteria in line with both local and national planning and housing policy. Where this situation arises the property advert will clearly stipulate the local connection criteria applicable.

In exceptional circumstances and to ensure effective use of stock, allocations may be advertised and made available to households who do not have a local connection.

If the Applicant does not meet the above criteria but feel that they have special or unusual circumstances that should be taken into account, the applicant should apply in writing to NSH explaining what these special circumstances are.

Asylum and Immigration status

An Applicant will not be eligible to join the Housing Register if they are subject to immigration controls under the Asylum and Immigration Act 1996 or Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2016, unless they;

1. Already hold a NSDC tenancy
2. Already hold an Assured tenancy
3. Are in a class as may be prescribed by regulations made by the Secretary of State a copy of which can be provided upon request or can be found using this link <http://www.legislation.gov.uk/ukpga/1996/52/part/VI>

Any application identified as falling under the Asylum and Immigration Act 1996 (which may be amended from time to time) and in accordance with Regulations made by the Secretary of State, will be assessed in accordance with the Act and subsequent guidance.

Applicants who are not eligible at the point of application will not be placed on the Housing Register and will be notified of this in writing stating the reasons their application is not considered eligible and how to re-apply if their circumstances change.

Advocate

If an Applicant feels they cannot manage their own affairs and are unable to bid for properties themselves, they can choose someone to act for them. This person will be called an 'Advocate'. Applicants need to complete and sign the relevant questions on registration and ensure their advocate signs the declaration to act on their behalf.

The Applicant or their advocate is responsible for keeping their application up to date with their current circumstances by advising of any changes that could affect their application.

Information Declarations

If Applicants give false or misleading information or withhold information, which is reasonably required for the Applicants to give, they will be removed from the Housing Register and may be liable to prosecution. If they have been offered a tenancy as a result of this misinformation or the withholding of relevant information, the tenancy will be terminated. If Applicants have deliberately altered their circumstances to increase their banding, the right is reserved to move them into the correct band and may result in suspension of their application entirely.

If you are an employee or a Councillor of NSDC, an employee or Board Member of NSH your application must include a statement of this fact. In addition, a senior officer of NSDC or NSH must approve any offer of a property made to persons in these circumstances.

3. EXCLUSIONS

Some Applicants, although registered may not be eligible for the allocation of a property.

NSDC/NSH reserve the right not to make an offer of accommodation to individual applicants where satisfied that:

1. The applicant, or a member of their household, has been guilty of unacceptable behaviour, which if the applicant was a tenant of the Council would entitle the Council to a possession order.
2. The unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant.
3. The applicant or a member of their household is deemed unsuitable at the time of allocation.

Examples of unsuitability include but are not limited to:

1. Behaviour linked to financial gain such as benefit fraud or any other criminal offence of a similar nature.
2. Non-payment of rent, rechargeable repairs, other housing debt such as garage rent arrears, former rent arrears including NSDC/NSH and other social housing providers, anti-social behaviour, or any behaviour type which would be considered a breach of terms and conditions of NSDC's Tenancy Agreement (including any future variation)
3. Existing tenants wishing to transfer who have breached the terms and conditions set out in their Tenancy Agreement.
4. Behaviour which has resulted in any criminal or civil sanction against that which affects their suitability to be a tenant (including but is not limited to, injunction, possession order, criminal conviction, money judgment or enforcement of the same).
5. If an applicant intentionally gives or has intentionally given in the past, false information on any part of a housing application form or form to claim benefits of any type

The exclusions in this section include past or present behaviour of the individual or any member of the applicant's household.

In some circumstances a limit may also be placed on the type of property and/or area an applicant can apply for in order to manage any wider risks posed.

Financial Resources and Affordability

An Applicant would not normally be made an offer of accommodation, if they own or have interest in another property in the UK or abroad that is reasonable to occupy. Generally an Applicant in these circumstances will only be considered for supported housing, and/or extra care, set against their housing needs.

All Applicants will be required to complete a financial assessment and will be required to self-certify their financial position, with relevant supporting evidence to confirm their ability to sustain a tenancy in line with NSDC's Tenancy Agreement.

If an applicant fails to provide this information, intentionally gives false information or diverts their interest in property in this respect, they will be excluded from being made an offer of accommodation.

Non Bidders

Applicants not bidding for accommodation will be reviewed regularly and those in priority Bands One and Two will be contacted to establish why they are not bidding and to ascertain if any support is required to facilitate future bidding.

In certain circumstances where applicants are not bidding for accommodation, without justification, their application may be removed from the Housing Register.

Exceptions

An exception may be made in making an offer of accommodation in the following (but is not limited to) circumstances:

1. There is no valid court order; or
2. A debt relief order is in place and in payment; or
3. At least 75% of their total housing debts has been paid off; or
4. Evidenced support needs.

All exceptions will be considered on a case by case basis.

If the Applicant does not meet the above criteria but feel that they have special or unusual circumstances that should be taken into account, the applicant should apply in writing to NSH explaining what these special circumstances are.

Statutory Homeless Applicants

If any of the exclusions contained within this Scheme are applicable to an applicant who is deemed to be statutory homeless by NSDC, a case review will be convened and a final decision regarding an offer of accommodation would require NSDC/NSH senior officer approval.

4. REVIEW OF DECISION TO EXCLUDE FROM THE ALLOCATION SCHEME

Applicants can request a review in writing of any decision to exclude them from the Allocation Scheme, or any restrictions placed upon them. A senior officer, of NSH, not previously involved in the case will consider this review.

The Applicant or their Advocate is responsible for keeping their application up to date with their current circumstances. They must advise of any changes that could affect their application and complete a change of circumstances form where appropriate.

Failure to do so may result in an offer of a property not being made.

An annual review will be carried out of applications on the Housing Register at the anniversary of each application. If there is no response to this review the application will usually be cancelled.

5. ASSESSMENT OF HOUSING NEED

Applicants are prioritised according to their housing need and are placed in the relevant 'banding'. This will allow applicants in greatest need to be given priority.

Transfer Applicants will be banded under the same assessment process as housing applicants.

NSH will notify the applicant of their registration date, registration number and priority band awarded. Information will also be provided as to the suitability and size of property applicants are eligible to bid for.

If an applicant's circumstances require a change in banding after registration, a band date will be applied as part of the allocation procedure (see Section 8 – Allocation Procedure). This will be the date an Applicant qualifies for that band and not their original registration date. If an applicant is assessed as Band 4 the original registration date will apply.

6. APPLICANT BANDINGS

BAND ONE

HOMELESSNESS

Homeless households are defined as those who, NSDC has a statutory duty to secure accommodation (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002), are in priority need and who are not homeless intentionally.

Applications from these households will be awarded Band One and a direct offer of suitable accommodation will be made in order to discharge NSDC's main housing duty. Applicants deemed to be owed a statutory duty will not be offered the opportunity to bid for accommodation, instead this will be managed in liaison with their assigned case officer at NSDC who will place bids on the Applicants behalf.

If this offer of accommodation is refused, and the property is considered reasonable and is suitable for the household's needs, then no further offers of accommodation will be made. NSDC will have discharged its duty under the Provision of Part VII of the Housing Act 1996; however, the homeless applicant has a right to request a review of this decision under Section 202 of the Housing Act 1996 by writing to NSDC within 21 days of the date of refusal, stating the reasons they do not agree with the decision.

MEDICAL GROUNDS

High Priority – A medical condition or disability where current accommodation seriously undermines and affects the Applicant or a member of their household's health and the accommodation is therefore considered unsuitable. Supporting evidence will be required.

LIVING CONDITIONS

Identified Category 1 hazards where the enforcement of Housing Act 2004 (Housing Health and Safety Rating System) is in place and subject to Environmental Health action. This priority is only awarded for the period of time that the work remains outstanding.

STATUTORY OVERCROWDING

Applicants living in statutory overcrowded housing.

The permitted number of people for a property is worked out from the number and sizes of the rooms in the property, as detailed in the Housing Act 1985, shown in the two tables below:

Number of rooms	Permitted number
1	2
2	3
3	5
4	7.5
5	10
6 +	A further 2 persons for every room

Floor area of room	Number of persons
Over 110 sq ft	2
90 to 110 sq ft	1.5
70 to 90 sq ft	1
50 to 70 sq ft	0.5

Both tables are used and the lowest number reached is the permitted number for the property.

All living rooms and sleeping rooms are included in the calculation when the permitted number of persons is worked out. Kitchens, bathrooms and toilets are not included in the calculation.

When working out the number of persons sleeping in the property, occupants are counted as follows:

- Over ten years old - 1 person

- One to nine years - 0.5 person
- Under one year - not counted

A senior officer at NSH will assess and award the correct Banding according to the above assessment tables.

UNDER OCCUPATION – CHANGING PLACES SCHEME (applicable to NSDC tenants only)

The Changing Places Scheme is designed to give priority to Transfer Applicants who occupy a property of two or more bedrooms and want to move to smaller accommodation. Applicants awarded this Band who have not actively bid for accommodation within a twelve month period, will be demoted to the Band that represents their housing needs. Applicants losing this priority due to inactive bidding will only be reassessed following significant changes to their housing needs.

If evidence, such as the District Wide Housing Needs Survey carried out by NSDC, no longer supports the necessity for the Changing Places Scheme to have a priority status, relevant amendments or a revoking the scheme will be considered as part as the wider Scheme review process, as set out in Section 14 – Scheme Review.

BAND TWO

HOMELESSNESS THREATENED WITH / NO STATUTORY DUTY

Applicants threatened with homelessness as assessed by NSDC and/or homeless households to whom NSDC has no statutory duty to secure accommodation (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002).

APPLICANTS REQUIRING MOVE ON ACCOMMODATION FROM DESIGNATED SUPPORTED HOUSING PROJECTS AND TO IDENTIFIED CARE LEAVERS

This Band is only applicable when the Applicant’s support needs have been identified and provision for meeting these needs is in place.

MEDICAL GROUNDS

Medium Priority – A medical condition or disability where current accommodation undermines or moderately affects the Applicant or a member of their household’s health and is considered unsuitable and/or where this is leads to social isolation. Supporting evidence will be required.

INSECURITY OF TENURE

Applicants who have been served a valid Notice of Seeking Possession or court possession proceedings from a landlord or mortgage lender other than NSDC, NSH or RPs. Applicants will be required to provide evidence that the Notice served is not a result of their or a member of the households act(s) or omission(s).

OVERCROWDING

Applicants who are lacking two bedrooms or more in their current home but are not considered to be statutorily overcrowded.

AGRICULTURAL WORKERS

Agricultural, horticultural and forestry applications for workers who need their workers to be housed under the Rent (Agricultural) Act 1976. NSH will make a decision to give priority under this band after receiving a full report from the Agricultural Dwelling House Advisory Committee.

BAND THREE

MEDICAL GROUNDS

Low Priority - Where current accommodation creates some difficulties for an Applicant or a member of their household's health but it is considered manageable in their present accommodation.

HOMELESSNESS INTENTIONALLY

Homeless households to whom NSDC has no statutory duty to secure accommodation (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002), whether or not they are in priority need, who are intentionally homeless

LIVING CONDITIONS

Identified Category 2 hazards where the enforcement of Housing Act 2004 (Housing Health and Safety Rating System) is in place and subject to Environmental Health action. This priority is only awarded for the period of time that the work remains outstanding.

OVERCROWDING

Applicants who are lacking one bedroom in their current home but are not considered to be statutorily overcrowded.

SHARING

Applicants/households sharing personal facilities, such as kitchens and bathrooms within their current accommodation, with another household. This would exclude gardens and communal areas.

BAND FOUR

Applicants or Transfer Applicants with no identified and evidenced housing need.

Applicants who have deliberately worsened their circumstances to be awarded a priority banding or who have not taken reasonable steps to prevent the worsening of their circumstances.

Applicants should note that if they are awarded Band 4 that this Allocations Scheme is unlikely to secure an offer of social housing and therefore, these applicants are encouraged to consider other housing options and products.

7. ADVERTISING PROPERTIES

Properties available for allocation will be advertised by NSH. Properties advertised will give a description of the property, its location, any local connection criteria (where applicable see page7) and suitability criteria to help applicants make relevant and informed choices.

Properties will be advertised on the NSH website and on posters in the local offices and at various partner agency premises.

These adverts will include social housing properties and may also include private rented properties available through NSDC's Realhome Scheme. Realhome is a tenant finding service for Private Sector Landlords.

More information on the Realhome Scheme is available on the NSDC website <http://www.newark-sherwooddc.gov.uk/realhome/>.

In some circumstances, properties may not be advertised as part of the Allocations Scheme. Examples of this can include but are not limited to:

1. Temporary accommodation required because of a flood, fire or other emergency.
2. Properties required for existing tenants when they are faced with home loss
3. Effective and efficient use of the housing stock and duties of NSDC/NSH.

Properties advertised will be available for both Applicants and Transfer Applicants.

Applicants or their advocate can request details of available properties by contacting NSH Customer Access Service on 0845 2585550.

Applicants or their Advocate will be able to state their interest in a maximum of two properties per weekly advert cycle and unlimited RP or Realhome properties, giving their order of preference. Interest in a property can be made via telephone, email, online, text or in person. Applicants will not be contacted if their bid is unsuccessful.

Available properties will usually be advertised a maximum of twice. If the property remains vacant NSH will consider alternative ways of letting the available property. This could include allowing Applicants to bid on more than two NSDC properties per cycle and relaxing criteria.

8. ALLOCATION PROCEDURE

For all properties advertised a list will be generated of Applicants who have expressed interest in the property. Applicants who have stated their interest in the property and meet the criteria for that property will be matched by the following procedure:

1. Priority Band; then
2. Local Connection then
3. Banding Date.

It is the responsibility of the Applicant to provide information required to carry out the necessary verification checks and references.

Verification checks and financial assessments will be undertaken for the Applicants shortlisted. The applicant will be asked to confirm that the information given on the application form regarding their circumstances has not changed since the application. In some circumstances, the successful applicant may be contacted to assess that they are in an appropriate position to sustain a tenancy in line with NSDC's Tenancy Agreement.

If the Applicant's verification checks are satisfactory, the offer of the tenancy of the property will be made.

In the event of the applicant's verification checks being unsatisfactory they will be advised of the reason for this decision in writing and the property will be offered to the next qualifying applicant.

Withdrawing an Offer

NSH reserve the right to withdraw any offer of accommodation. An explanation will be given to the applicant in writing.

Penalties for Refusing Offers of Accommodation

Applicants who refuse two offers of accommodation will have their application suspended for six months and will be unable to bid for properties advertised during this period.

If a further refusal of an offer of accommodation is made, following reinstatement on the Housing Register, a twelve month suspension will be applied.

If an applicant's circumstances significantly change during a suspension then the review process at Section 14 should be followed.

9. SUITABILITY CRITERIA FOR PROPERTY TYPES

Applicants should have regard to the criteria stipulated in the advertisement of available properties prior to placing a bid to ensure they meet the required criteria.

Before an offer of accommodation is made, NSH will take into account the suitability and size of the property in relation to the family/number of people seeking accommodation.

Suitability criteria may be adapted from time to time to reflect the supply and demand of properties, management of stock and overall community housing needs.

To address issues of low demand certain properties have a designated age criteria, therefore the eligibility criteria may be different. Any such differences will be clearly identified when the properties are advertised.

The following will usually be applied:

1. Single applicants are considered to need bedsits/one bedroom.
2. An adult requesting to share with another adult (who is not a partner) will require one bedroom each.
3. Married couples, same sex partners and persons' living as man and wife are considered to need one bedroom (unless the partner needs a separate bedroom on proven medical grounds).
4. Two dependent children of the same sex and two children under ten of the opposite sex will normally be expected to share a bedroom. Dependent children are defined as children less than 21 years who live with the applicant and where the applicant is the parent or guardian and in receipt of Child Benefit or the child is in higher education.
5. Households who have contact with their children but with whom the children do not reside on a permanent basis must be able to show that they do have established contact. Households who have contact with their children cannot normally be considered for properties larger than two bedrooms irrespective of the number of children they have contact with.
6. Foster carers or those adopting children who require additional bedrooms will be assessed on an individual basis in liaison and as confirmed in writing by relevant social care departments.
7. A woman with a pregnancy confirmed by an appropriate medical practitioner, will be counted as a household with a child after 36 weeks of pregnancy and therefore qualify for a bedroom each. If she already has one child, the unborn baby will be treated as if it were the same sex.

Applicants are suitable for accommodation designated as supported accommodation if:

1. The Applicant or partner are 60 years of age or over
2. The Applicant or a member of the household is aged 60 years over. (Such applicants may be considered for some, but not all, supported accommodation).
3. The Applicant or a member of the household is under 60 years but has a proven mobility, medical or disability need. (Such applicants may be considered for some, but not all, supported accommodation).

In some circumstances medical authorities and/or evidence may be requested in addition to and in support of, a completed medical self-assessment questionnaire.

10. EFFECTIVE AND EFFICIENT MANAGEMENT OF TENANCIES AND HOUSING STOCK

This section of the Allocation Scheme enables priority transfers for existing tenants or applicants who find themselves in exceptional circumstances, which means remaining in their current accommodation is no longer deemed appropriate or safe and/or to enable NSDC and NSH to make best use of its limited available housing stock, prevent homelessness and create sustainable communities.

In such cases, a review of individual circumstances will be carried out between a senior officer of both NSDC and NSH to make a final decision based on the evidence available.

The outcome of this decision may result in a direct allocation of accommodation, for reasons such as (but is not limited to):

1. Severe harassment, threats or actual violence, victims of anti-social behaviour, domestic abuse or where there is personal risk to the household if they remain. Sufficient evidence is required

2. Applicants who have either lost their statutory right to succession or have a succession right to a tenancy and the current accommodation is not suitable, as set out in the Tenancy Agreement.
3. To enable major repairs which require a permanent or temporary move (decant)
4. Where adapted properties are no longer required by a tenant or a member of their household.
5. Applicants or tenants requiring specialist and/or adapted properties.

This decision may be part of a multi-agency risk assessment where information (including sensitive information) will be lawfully shared.

Local Lettings Schemes

Local Lettings Schemes can also assist in the management of existing housing stock, to help resolve issues such as, areas suffering from a disproportionate amount of anti-social behaviour or to help widen housing choices for local people and provide sustainable communities.

Local Lettings Schemes are an exception. They implement additional specific criteria to be considered in a local area when allocating housing through this Allocation Scheme.

The application of Local Lettings Schemes will be carefully considered by NSDC and NSH based on need and evidence for a limited period of time and reviewed to assess its effectiveness.

Local Lettings Schemes will be published on NSH website, available at www.nshomes.co.uk

11. ANNOUNCEMENT OF LETTINGS/FEEDBACK

Results of every property allocated will be published on a monthly basis on NSH website, available at www.nshomes.co.uk

Feedback information is available to applicants, to understand their housing options, to make informed decisions and choices about their future bidding and to compare their housing need against the available housing.

NSH will continue to produce and publicise facts on the overall allocation of properties within the district on a monthly basis.

12. CUSTOMER COMMENTS PROCEDURE

Applicants who wish to comment or complain about the service are able to contact NSH via housing@nshomes.co.uk or visiting the website at www.nshomes.co.uk in order to obtain the relevant forms for completion to ensure this is dealt with under official procedures.

NSH is committed to delivering excellent housing services to support NSDC deliver its housing vision and priorities.

13. REVIEWS AND APPEALS

If an applicant is dissatisfied with any decision made by NSH, they may request a review of this decision. This will allow an applicant to have their circumstances initially considered and reviewed by a senior officer from NSH, not previously involved in any assessment or decision.

If the applicant is still dissatisfied with the outcome, and feels there are additional special circumstances that should be (or have not been) taken into account, they would then be able to appeal to NSDC and this appeal would be undertaken by a senior officer.

This process will ensure that an applicant's appeal is dealt with fairly, according to the Scheme, relevant legislation and within a time limited framework.

Requests should be made in writing, supported by evidence.

Review requests relating to the offer of accommodation to statutory homeless households in Band 1, is excluded from this review process. Further details can be found in Section 6 -Applicant Bandings.

14. SCHEME REVIEW

Senior officers from NSDC and NSH will regularly review the Allocations Scheme to ensure its requirements are being implemented and that it continues to meet relevant legislation and any new duties placed upon the Council.

Where amendments are necessary these will be implemented in consultation with applicants and stakeholders when and where appropriate.

HOMELESSNESS REDUCTION BILL

1.0 Purpose of Report

1.1 To provide the Committee with an overview of the Homelessness Reduction Bill as it travels through the House of Lords and the ‘new burdens funding’ proposed for local authorities.

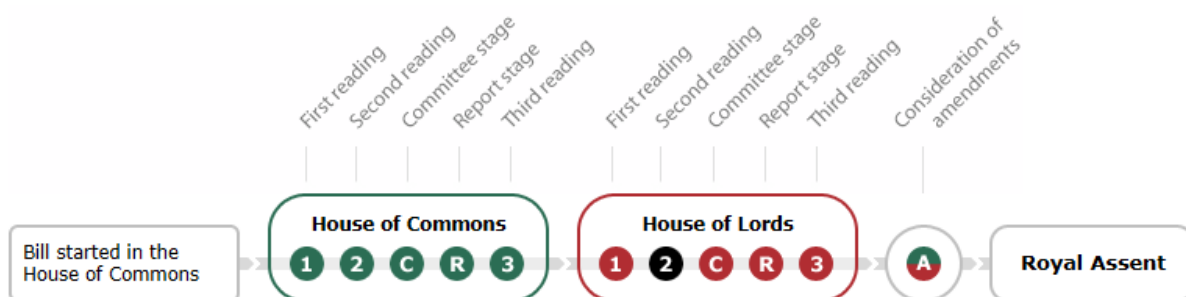
2.0 Background

2.1 On 29 June, 2016 Bob Blackman MP introduced the Homelessness Reduction Bill 2016-17 to the House of Commons. The Bill’s journey through the House of Commons debate and reading process has been fast paced and it is currently passing through the House of Lords. It is expected (at the time of writing this report) that the second reading in the House of Lords will take place on 24 February 2017. The image below shows the passage of the Bill through Parliament.

Homelessness Reduction Bill 2016-17

Type of Bill: Private Members' Bill (Ballot Bill)
Sponsors: Bob Blackman
Lord Best

Progress of the Bill



2.2 The Bill has cross party support and although amendments have been made throughout its journey the main focus of the Bill remains unaltered. It is anticipated that it will receive Royal Assent in 2017, with the requirement for local authorities to enact it late 2017/early 2018.

3.0 New Duties

3.1 Current homelessness legislation is contained within Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002 and it is these duties which the Homelessness Reduction Bill looks to amend and strengthen.

3.2 The main thrust of the Bill is to refocus English local authorities on efforts to prevent homelessness. It contains twelve measures that will require local authorities to provide housing options and homelessness services to all of those affected, not just those who are protected under existing legislation.

3.3 Below is a list of the current measures:

1. Amendments to the meaning of “homeless” or “threatened with homelessness” including considering an applicant to be homeless or threatened with homelessness within 56 days, as opposed to current 28 days;
2. Extending the duty to provide advisory services on preventing and relieving homelessness, designed with certain listed vulnerable groups in mind;
3. Duty to assess all applicant cases and agree a personalised plan – including tailored, individual advice and working with the applicant to agree, review and amend actions to be taken by both parties;
4. New duties in cases of threatened homelessness – again expanding the requirement to work with households 56 days beforehand;
5. A 56 day relief duty on local authorities requiring ongoing support to applicants during this period to secure accommodation;
6. Two new sections amending and increasing duties on local authorities to take reasonable steps to secure accommodation for any eligible household, not just those owed duties from the 1996 Act;
7. Introduces deliberate and unreasonable refusal to co-operate where priority households will not be able to progress on to main homelessness duties, if they do not undertake actions from their plan;
8. Amendments to Section 199 – Local Connection for a Care Leaver. A care leaver will have a local connection to any district in the county council area they are being cared for by;
9. Amendments to section 202 – Reviews. This is being increased to allow applicants to request a review of any decision made about their application at multiple points in the prevention and relief processes ;
10. New section placing a duty on public authorities to refer those homeless or at risk of homelessness to the local housing authority;
11. Gives the Secretary of State a power to issue statutory codes of practice to raise standards of homelessness support services across the country;
12. Amendments to Article 3 of the Homelessness (Suitability of Accommodation) – placing additional requirements on a local authority assessment of a private rented sector offers.

4.0 **Impact**

- 4.1 Due to the stage of the Bill’s journey through Parliament and lack of specific detail around the proposed measures and implementation frameworks, it is difficult to assess the potential impact for the authority. However, the measures set out are anticipated to place considerable new burdens on local housing authorities, and it was therefore felt appropriate to inform the Committee of the progress of the Bill so far, for Members’ early consideration and discussion. Officers will continue to monitor its progress and attempt to assess its impact for reporting back to Committee at an appropriate point in time.
- 4.2 There are two work activities currently being undertaken within the Housing and Safeguarding Business Unit’s proactive service plan in an aim to prepare for the pending legislative changes:

1. Housing Options Service Peer Review - 22, 23, 24 February 2017

4.3 The peer review programme has been developed by the National Practitioner Support Service (NPSS) and is funded by DCLG. Newark and Sherwood is the first authority in Nottingham/Nottinghamshire to be reviewed, which will:

- assess how Newark and Sherwood is tackling homelessness;
- identify key strengths and weaknesses in service delivery by highlighting good practice and identifying gaps in provision;
- make recommendations for service improvement;
- develop effective improvement plans to help maximise the potential to prevent homelessness wherever possible;
- help make the best use of current resources.

4.4 The peer review team are from Oadby and Wigston Borough Council, Broxtowe Borough Council and the NPSS. The review team is due to report back on their findings by mid-March.

2. Implementation of a new homelessness case management and online enhanced housing options product in 2017

4.5 Following a comprehensive options appraisal the Council agreed to enter a pre-existing partnership agreement with Rushcliffe, Gedling and Broxtowe to collectively procure the Abritas homelessness case management and enhanced housing options product, which produces a personalised action plan for customers based on a configurable set of standard housing options.

4.6 This also supports the wider digital aspects of the Moving Ahead Project and Corporate Peer Challenge which encourages Business Units to use technological solutions as part of a broader approach in becoming more efficient.

5.0 New Burdens Funding

5.1 On 17 January 2017 Marcus Jones, Minister for Local Government announced £48 million of funding for local government to meet the additional costs of the new duties in the Bill.

5.2 The table below shows the funding divided up over 2 years and attached at **Appendix A** is a note from DCLG explaining the key assumptions that sit behind the methodology used to estimate the new burdens costs. DCLG intend to work with local councils and the Local Government Association to develop the distribution model for the funding and will be establishing a Bill Implementation Working Group to support this task.

Estimated new burdens costs of the Homelessness Reduction Bill

Year	2017-18	2018-19	2019-20
Net cost	£35.4m*	£12.1m*	£0

* Rounding means these are summed to £48m

6.0 Equalities Implications

6.1 Equalities implications will be fully considered on the passing of the Bill and implementation of new legislative changes. The Council will also need to consider equalities implications when formulating its processes and procedures for implementing the requirements of the Bill once it is enacted.

5.0 Impact on Budget/Policy Framework

5.1 At this stage in the process it is difficult to assess the financial impact on the Council, over and above current budgetary and external funding provision. This will be assessed later in the year when there is more clarity and budgetary provision can be reviewed based on service prioritisation.

7.0 RECOMMENDATION

That the contents of the report be noted.

Reason for Recommendation

To enable early consideration of the potential impact of the Homelessness Reduction Bill on the authority.

Background Papers

Nil

For further information please contact Leanne Monger, Business Manager – Housing and Safeguarding on extension 5545

Karen White
Director – Safety

Homelessness Reduction Private Members' Bill – Funding New Burdens

Today the Minister for Local Government - Marcus Jones - announced £48m of funding for local government to meet the costs of the new duties for local authorities in the Homelessness Reduction Bill¹. This is in line with the new burdens doctrine². This note sets out how the amount of this funding has been arrived at.

The Department for Communities and Local Government has worked with a number of local authorities, and has consulted the Local Government Association, throughout the development of the costings. Further detail on the methodology and the assumptions behind the costs are outlined below.

These figures are a national aggregate only. The department will continue to work with the Local Government Association and local authorities on the development of the distribution model for the funding to determine the amount to be received by each area. The full new burdens assessment will be published once this work is complete.

The Bill has been costed by developing a model that takes unit costs from existing local authority data and feeds this into assumptions on the likely effect of the Bill measures on local authority work. The assumptions are based on data where it is available, otherwise it is based on the experience of Wales coupled with conversations with local authorities to adjust for an English context.

Unit Costs

Unit costs are based on service and administration costs drawn from the following:

- Exact homelessness spend by local authorities (recorded in Revenue Outturn 4 submissions)³;
- Data submitted by local authorities on the P1E form (used in Government's homelessness statistics) to identify statutory homeless and prevention numbers)⁴;

¹ This funding is subject to the Bill receiving Royal Assent

² <https://www.gov.uk/government/publications/new-burdens-doctrine-guidance-for-government-departments>

³

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/478073/Revenue_Outturn_RO4_data_2014-15_by_LA_-_19-Nov-2015.xls

⁴ <https://www.gov.uk/government/collections/homelessness-statistics>

- Research by Shelter and Acclaim⁵ which helped to inform the costs of prevention actions and the cost of an acceptance.
- These costs will obviously differ from area to area, and this will be reflected in developing the funding formula.

Assumptions

We assume that the caseload will increase as a result of the new offer to households at risk of homelessness. In Wales they saw a 28% increase in cases. We believe that given that homelessness prevention is more embedded in England in Wales (66% of help is via prevention in England, it was 44% in Wales) the rise will not be as pronounced. We believe a sensible assumption is 26%.

Increased and earlier prevention will, as well as helping more people, have an impact on acceptances. In Wales a 69% decrease was seen in the first year. We do not expect to see the same in England but assume that by year 3 there will be a 30% decrease in homelessness acceptances.

The costings are net of a counterfactual or baseline case. The counterfactual is simply a projection of recent trends in the homelessness statistics to give estimates for what homelessness might be in the absence of the legislation. For example, the overall caseload is assumed to continue to grow by 2 per cent per annum.

We have assumed that the enhanced advice and information duty will lead to a total administration cost increase of 2% year-on-year. This is line with the projected caseload increase for the 'Action to prevent and/or relieve' caseload group.

The new prevention and relief duties are accounted for via the unit costs and the assumptions around increased caseload.

The right to request a review is extended to the new prevention and relief duties. We have assumed these duties generate the same proportion of reviews i.e. a 50% increase in case load will increase the proportion of reviews by 50%. However we have included a 10% uplift in review costs due to a more senior case officer having to carry out the review in certain circumstances.

The cost of additional suitability checks has been based on local authority data for carrying out Private Rented Sector Offer checks.

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http://england.shelter.org.uk/data/assets/pdf_file/0008/297224/VFM_in_housing_options_and_homelessness_services_full_report_Oct_2010.pdf

HOUSING GROWTH – HRA DEVELOPMENT PROGRAMME

1.0 Purpose of Report

- 1.1 To provide the Committee with an update on progress to deliver the Housing Revenue Account (HRA) development programme.

2.0 Background Information

- 2.1 At its meeting on 30 June 2016 the Policy & Finance Committee approved that the Council and Newark and Sherwood Homes (NSH) work in partnership to take forward an initial 5 year programme of Council housing development to provide an indicative 335 additional units.
- 2.2 The Policy & Finance Committee also resolved that the Homes & Communities Committee would be charged with monitoring the programme delivery.
- 2.3 To inform the development programme, officers of both the Council and NSH initially undertook an appraisal of all the smaller HRA sites; including garage areas, redundant land and infill sites to identify whether these had the potential for development, disposal or retention.
- 2.4 The indicative target of 335 units is to be achieved through the existing development programme, taking into account the 60 unit extra care development at Bowbridge Road. Development on the smaller HRA sites is anticipated to commence on site from May 2017.

3.0 Progress of the Programme

- 3.1 NSH is undertaking the project management of the development programme, realigning its resources to enable delivery and to reflect the duration of this project. Senior Officers of the Council and Company meet regularly to monitor progress of the programme and review all relevant delivery risks, with this report being informed by the Company's Assistant Director of Asset & Development Services who has the day to day operational responsibility over the programme.
- 3.2 A number of key activities have and are being taken forward to ensure that on site delivery of the programme commences in 2017/18 (year one):

Pre-Construction

- 3.3 The pre-construction phase of the project commenced in August 2016 with the procurement of an Architect and Project Engineer. This was concluded in September 2016 with the appointment of RGP as architects and Collins Hall Green as site engineers.

- 3.4 For year one (2017/18) of the programme, the HRA has the financial capacity to deliver approximately 70 units. A total of 46 sites, with the potential to deliver in excess of 140 units, were initially identified for possible delivery in the first year. This number provided sufficient flexibility to allow for any sites which could not be progressed for development at this stage, as a result of not achieving planning approval or other unforeseen issues.

Legal Investigations

- 3.5 During September and October 2016, works were undertaken reviewing all the proposed sites in order to identify any issues relating to rights of access, restrictive covenants, ownership and boundaries. This process identified a significant number of issues, the impact of which was to restrict the design of the sites and unit numbers achievable. In a few cases, it was decided that the proposed sites could not be taken forward for development at this time.

Member Consultation

- 3.6 Senior Officers of the Council and Company held an initial Member consultation event on 11 October 2016 raising awareness of the range of HRA sites that had been identified as having the potential for development.
- 3.7 Further consultation was then undertaken in late December 2016 and January 2017 directly with each Ward Member where specific sites were to be progressed through the planning system for approval during the first year of the programme.

Scheme/Site Design

- 3.8 During October 2016, the Architect commenced the process of producing proposed plans for each site identified as being suitable for development.
- 3.9 From late October onwards, pre-planning work commenced and was taken forward in partnership with the Company's Development Management Business Unit to ensure that all the necessary pre-planning advice and activities had been appropriately considered to inform the subsequent planning application submission.
- 3.10 This led to the redesign of a number of sites during December 2016 and January 2017 to take account of issues identified through the pre-application process and in some cases changed the unit type or reduced the unit numbers that could be delivered. Additionally a few sites were deemed as not suitable for development and were removed from the programme.
- 3.11 Following this work, identifying the suitability of the proposed sites for development, site investigations were then carried out during November and December 2016. These identified a number of unforeseen issues relating to buried services and sewers, which again restricted the design of the sites, unit numbers achievable and a few proposed sites could not be taken forward development at this time.

Planning Permission

- 3.12 Further to the completion of the above activities 30 sites, in locations across the district, have been identified as suitable for development in the first year of the programme and applications have now been submitted to planning for approval. This gives the potential to deliver 76 new Council homes. A small number of additional sites are currently being worked up as a contingency in the event that the planning process does not deliver the required number of units for viable delivery of the programme in year one.
- 3.13 Planning approval has already been received for a site at Eastfield Close, Clipstone (2 units) and all other applications are being considered at the Planning Committee's being held in March and early April 2017. It is vital that the planning application process is completed within this timeframe if the first year of the development programme is to be delivered on time and within budget.

Procurement Process

- 3.14 The procurement process to secure the most appropriate development partner to undertake the build over the 5 year programme holds a number of risks in terms of viability, competitiveness, timescale and costing. The process has required careful planning to ensure that these risks are minimised and a successful outcome can be achieved to enable the programme to progress in line with the agreed delivery timeframe.
- 3.15 In order to achieve the above the Company and Council (in consultation with the Council's Procurement Manager) agreed that the procurement of the project should be through an existing New Build Development framework using Efficiency East Midlands (EEM).
- 3.16 NSH has put together the procurement documentation and the Council's Procurement Manager has been given the opportunity to provide any additional input. The outcome of the procurement process to select the preferred development partner will be considered during late March /early April 2017 and a contract awarded mid-April 2017.
- 3.17 The development contract will be in the Council's name but all activities will be project managed by NSH in close liaison with the Council.

Year One – Site Delivery

- 3.18 The majority of the pre-contract works are now completed and, subject to planning approval, construction is currently expected to commence on site on a staggered approach between early May and June 2017 to enable delivery of the required number of units within the first year. This will involve the management of the on-site development of dispersed sites across district.
- 3.19 On completion of this activity, work will then progress to deliver the remaining years of the programme set against the principles discussed above.

4.0 Gladstone House – Extra Care Scheme

- 4.1 The development of the extra care scheme off Bowbridge Road, Newark is progressing well and in line with the project timetable. Most recently the scheme has been named Gladstone House by the Policy & Finance Committee at its meeting on 1 December 2016.
- 4.2 Currently on site 2 wings are constructed up to first floor level and the steel frame to the main entrance area is being completed. There have been very few delays due to unforeseen circumstances such as inclement weather, etc. A site visit for all Members to enable them to view the build and progress is being organised for later in March – date to be confirmed.
- 4.3 The project is being delivered on budget with any small design variations contained within the contingency provision. The project is expected to outturn to budget.
- 4.4 The interior fit out package is currently being designed using a specialist interior designer. It includes locally themed spaces and finishes that will be sympathetic to the needs of the residents, such as meeting the ‘Housing our Ageing Population Panel for Innovation’ (HAPPI) principles based on 10 key design criteria and being dementia friendly.

5.0 Proposals

- 5.1 To note progress to date with delivery of the HRA development programme and to make any comments as appropriate.

6.0 Equalities Implications

- 6.1 In taking forward the housing (HRA) development programme under the Council’s growth agenda, equality implications are being considered and assessed against the delivery of additional housing to ensure the evidenced housing need across all tenures and communities is addressed.

7.0 Impact on Budget/Policy Framework

- 7.1 Within the contents of the main report all the budgetary and policy framework requirements have been considered.

8.0 Comments of Business Manager & Chief Financial Officer – Financial Services

- 8.1 The funding provision for the HRA development programme and the indicative target of 335 new build units over the 5 years, has been identified and agreed, based on the profile of expenditure and guaranteed funding sources.

9.0 RECOMMENDATION

That the progress to date with delivery of the HRA development programme be noted.

Reason for Recommendation

The housing (HRA) development programme contributes to the Council's housing growth agenda and wider strategic priorities, meeting the evidenced housing need across the district for all tenures and maintains a viable Housing Revenue Account Business Plan.

Background Papers

Nil

For further information please contact Rob Main (5930), Business Manager – Strategic Housing or Andy Dewberry, Newark and Sherwood Homes - Assistant Director of Asset & Development Services (5654).

Karen White
Director – Safety

ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE ECONOMIC DEVELOPMENT COMMITTEE

1.0 Purpose of Report

1.1 To provide the Homes & Communities Committee with a list of the exempt business considered by the Committee for the period 17 May 2016 to date. Members have the opportunity to review the exempt reports and request further information. The rule is defined in paragraph 18 of the Constitution entitled 'Right of Members to Request a Review of Exempt Information'.

2.0 Background Information

2.1 The Councillors' Commission at its meeting held on 25 September 2014 proposed a number of changes to the Constitution, one of which being that 'the Committees undertake an annual review of their exempt items at their last meeting prior to the Annual Meeting in May', this was ratified by the Council on 14 October 2014.

2.2 Members will be aware that, they have the opportunity to request under Rule 18 of the Access to Information Procedure Rules, that exempt information should be released into the public domain if there are substantive reasons to do so.

3.0 Proposals

3.1 The following table provides the exempt business considered by the Homes & Communities Committee for the period 17 May 2016 to date:

Date of Meeting	Agenda Item	Exempt Paragraph
12 September 2016	Update on the Review of CCTV	3

4.0 RECOMMENDATION

That the Report be noted.

Reason for Recommendation

To advise Members of the exempt business considered by the Economic Development Committee for the period 17 May 2016 to date.

Background Papers - Nil

For further information please contact Nigel Hill – Business Manager Democratic Services on Ext: 5243.

Kirsty Cole
Deputy Chief Executive