

Minutes of a meeting of the **POLICY DEVELOPMENT PANEL** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Wednesday, 11 October 2023 at 6.30 pm.

PRESENT

A R Woolf (Chairman)
L J Eldridge (Vice-Chairman)

D Ashby
J Avery
A C Beal
S Chauhan

M Geaney
M Hasan
J L Reynolds
J Le Sage

M Le Sage
S-A Slade
T Sneath
J Whitbourn

In Attendance: The Assistant Director – Wellbeing and Community Leadership, the Assistant Director - Corporate (virtual), the Assistant Director – Housing, the Affordable and Accessible Homes Service Manager, the Healthy and Accessible Homes (Housing) Lead, the Business Intelligence and Change Manager, the Insights and Transformation Group Manager, the Scrutiny and Policy Officer (virtual) and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors N Chapman and I Sheard

14. MINUTES

Consideration was given to the minutes of the Policy Development Panel meeting held on 25 July 2023.

AGREED:

That the minutes be signed by the Chairman as a correct record.

15. ACTIONS

Consideration was given to the update on actions which arose at the 25 July 2023 Policy Development Panel meeting.

AGREED:

That the update to the actions be noted.

16. DECLARATION OF INTERESTS.

There were none.

17. QUESTIONS ASKED UNDER STANDING ORDER 6

Action By

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There were none.

18. TRACKING OF RECOMMENDATIONS

There were none.

19. ITEMS REFERRED FROM THE PERFORMANCE MONITORING PANEL

There were none.

20. KEY DECISION PLAN

Consideration was given to the Key Decision Plan dated 29 September 2023.

AGREED:

That the Key Decision Plan dated 29 September 2023 be noted.

21. SHDC POLICY REGISTER AND S&ELCP POLICY REGISTER

The Panel gave consideration to the SHDC Policy Register and the S&ELCP Policy Register.

The Business Intelligence and Change Manager introduced the report by giving an update on items that were due for review:

- The following policies were to be presented at the current meeting:
 - Freedom of Information and Environmental Information Regulations Policy;
 - Housing Allocations and Letting Policy;
- The Unreasonable Behaviour and Vexatious Requests Policy was scheduled to come to the 12 December 2023 Policy Development Panel meeting;
- The first annual review of the following policies would also come forward to the 12 December 2023 meeting:
 - Graffiti and Street Art Management Policy; and
 - Sustainable Products Policy.
- The Corporate Plan had been presented at a meeting of the Joint Performance Monitoring Panel and Policy Development Panel which had preceded the current meeting;
- With the agreement of the Chairman, the Taxi Licensing Policy would be reviewed by the Licensing Panel on 1 November 2023;
- The Anti-Social Behaviour Policy was incorrectly stated as

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being due for review in November 2023. This had been corrected to November 2024; and.

- The South and East Lincolnshire Community Safety Strategy review date would be amended to reflect an agreed three-year review cycle.

Members considered the update and made the following comments:

- Members asked if partnership alignment of aspects of the Constitution would impact policy reviews and whether a schedule was known for the alignment exercise.
 - The Assistant Director – Corporate stated that a phased Constitutional review was due to take place by the Assistant Director – Governance early in 2024. The ambition was to seek alignment where possible, but each council would remain sovereign and retain its own Constitution.

AGREED:

That the SHDC Policy Register and the S&ELCP Policy Register be noted.

22. FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS POLICY

Consideration was given to the report of the Assistant Director - Governance (Monitoring Officer) which asked the Policy Development Panel to provide feedback on the draft updated Freedom of Information (FOI) and Environmental Information Regulations (EIR) Policy.

The Scrutiny and Policy Officer introduced the report and outlined the following main points:

- The FOI policies of South Holland District Council (SHDC) and East Lindsey District Council (ELDC) had been reviewed and a single updated policy would be aligned across all three authorities of the partnership;
- The policy incorporated both FOI and EIR for the first time due to similarities of the processing of information requests under both policies;
- The draft FOI and EIR Policy was detailed at Appendix A;
- The policy document contained live weblinks to the latest version of the policy on the council website. This approach negated the need to republish a new policy document each time legislation or processes were amended;

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- Adoption of the policy ensured that the partnership complied with all statutory requirements; and
- During scrutiny of the policy at Boston Borough Council (BBC), it was suggested that the charging formula for requested information be clarified. Most requests were free of charge however a charge would only be incurred if the work involved to provide the response was calculated at £450 or more. Suggested wording included the insertion of links to relevant pages of the website of the Information Commissioners Office.

Members considered the report and made the following comments:

- Members referred to the approach of including links to legislative information within the document (rather than producing a revised policy document at each change) and sought reassurance that officers and relevant members would respond to legislative changes.
 - The Scrutiny and Policy Officer responded that:
 - The use of links ensured that the most current version of legislation was available; and
 - The Information Governance Manager was responsible for the Council's compliance to the legislation – this was a statutory role.
- Members asked which agencies frequently made FOI requests:
 - The Scrutiny and Policy Officer responded that:
 - Since April 2023, SHDC had received 285 FOI requests;
 - The following SHDC departments received the most FOI requests: Revenue and Benefits, Housing, Planning, and Licensing.
 - FOI requests were made by both individuals and organisations;
 - When responding, the council ensured that sensitive personal information was redacted;
 - The majority of FOI request were free of charge as they fell below the charging threshold; and
 - The Publication Scheme on the SHDC website would be updated to include a 'regularly requested information' section which aimed to achieve transparency and provide information.

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- Members debated the benefit and drawback of including a link within the policy to 'Frequently Asked Questions' (FAQs). FAQs were accessible via the 'Publication Scheme' link which had been included at page 3 of the policy, however some members felt this was unclear. Other members stated that the purpose of a policy document was to outline the purpose and delivery of the policy and that inclusion of links within a policy document posed a risk should the links change.
 - The Scrutiny and Policy Officer responded that:
 - The Publication Scheme webpage covered many areas and included further links to information likely to be requested;
 - The Publication Scheme webpage was being updated and could include additional information; and
 - The wording within the policy would be reviewed for clarity in respect of FAQs.

AGREED:

- a) That after consideration by the Policy Development Panel, the draft FOI/EIR Policy be recommended to Cabinet for approval; and
- b) That the comments of the Policy Development Panel be noted.

23. LINCOLNSHIRE DISCRETIONARY HOUSING FINANCIAL ASSISTANCE POLICY

Consideration was given to the report of Assistant Director – Wellbeing and Community Leadership which asked the Policy Development Panel to consider adoption of the policy and enable eligible clients to be more consistently assisted across the South and East Lincolnshire Councils Partnership.

The Affordable and Accessible Homes Service Manager and the Healthy and Accessible Homes (Housing) Lead were in attendance for the item.

The Healthy and Accessible Homes (Housing) Lead introduced the report and highlighted the following main points:

- The Lincolnshire Discretionary Housing Financial Assistance Policy was a new policy which would be

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- adopted across all Lincolnshire district councils;
- The policy had been developed as part of the Lincolnshire Homes for Independence blueprint and the Housing Health and Care Delivery Plan;
 - The policy was to be presented to all three authorities of the S&ELCP prior to adoption by respective Executives and Cabinets;
 - The purpose of the Lincolnshire Discretionary Housing Financial Assistance Policy was to provide financial assistance in order to keep properties in a good condition.
 - The policy included conditions under which assistance would be granted;
 - The Lincolnshire Discretionary Housing Financial Assistance was at Appendix A.
 - The Lincolnshire Discretionary Housing Financial Assistance explanatory notes were at Appendix B; and
 - Superseded policy provisions for discretionary assistance was outlined at Appendix C.

Members considered the report and made the following comments:

- Members welcomed the policy which was greatly needed within the current economic climate;
- Members acknowledged the huge amount of work that had been undertaken in the production of the policy;
- Members asked whether adaptations to properties for tenants were made prior to a build. Did the policy include changes to approved plans.
 - The Affordable and Accessible Homes Service Manager clarified that the policy was aimed primarily at owner-occupiers rather than tenants, who did not have the financial means to maintain appropriate housing conditions for their needs.
- Members asked whether the size of grants considered inflationary increases in the cost of labour and materials. Would this be reviewed annually?
 - The Affordable and Accessible Homes Service Manager confirmed that:
 - The allowance for cost of works had been increased in the policy; and
 - Ongoing inflationary increases had not been included however this would be kept under review.

AGREED:

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That following consideration of the Lincolnshire Discretionary Housing Financial Assistance Policy by the Policy Development Panel, the comments of the Panel be noted prior to presentation of the policy at Cabinet.

24. REVISION TO TRAVEL AND EXPENSES POLICY

Consideration was given to the report of the Assistant Director – Corporate which proposed changes to the Travel and Expenses Policy.

The Insights and Transformation Group Manager introduced the report which detailed the proposed changes to the Travel and Expenses Policy for Officers of the Council. The following points were highlighted:

- The revised policy was detailed at Appendix A;
- The proposed change was the removal of the application of the Essential Car User allowance from the policy;
- Additional means of supporting colleagues to access a vehicle to carry out their duties, such as car loans and a salary sacrifice scheme, had been introduced;
- The purpose was not driven by an ambition for savings however it was anticipated that some savings would be made;
- Unions had been consulted but the Council had not received any objections to the changes; and
- The change would ensure alignment of policy across the partnership.

Members considered the report and made the following comments:

- Members referred to point 1.9 of the report and queried why a mileage rate for electric cars was not stated - a rate for a vehicle cubic capacity range of between 0 – 450 needed to be included. In addition, why did the Council pay a higher rate for larger, less efficient cars. Officers should be encouraged to drive more efficient vehicles.
 - The Assistant Director – Corporate responded that:
 - Electric vehicles were subject to the 46.9p mileage rate;
 - The Council encouraged low emissions through the introduction of a salary sacrifice scheme which incentivised efficient vehicles; and
 - The suggestion of an additional 0 – 450 cc range would be discussed with Human Resources.

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AGREED:

That after consideration of the proposed policy change, the comments of the Policy Development Panel be noted.

25. REVIEW OF HOUSING ALLOCATIONS POLICY

Members considered the report of the Assistant Director – Housing which asked members to consider the adoption of changes following a review of the existing Housing Allocations Policy.

The Assistant Director - Housing introduced the report and raised the following main points:

- Proposed amendments to the existing Housing Allocations Policy 2021 considered major changes within the meaning of the Housing Act 1996;
- Following scrutiny of the proposed policy changes at the current meeting, a formal consultation would take place before the final version was considered by Cabinet in January;
- The policy would remain under review and be regularly updated as appropriate;
- The key updates to the Housing Allocations Policy were outlined at point 2.2 of the report;
- The Housing Allocations Policy 2023 was detailed at Appendix A;
- The proposed amendments to the Housing Allocations Policy were highlighted at Appendix B;
- At the time of the report, 628 applicants were on the Housing Register, within the following bands:
 - 24 applicants were within the emergency band;
 - 71 applicants were within the urgent band;
 - 244 applicants were within the high band; and
 - 289 applicants were within the identified housing need band.

Members considered the proposed changes to the Housing Allocations Policy and made the following comments:

Members referred to the ‘emergency’ band where one offer of accommodation in the district would be made to applicants, and queried the following:

- Who decided which cases were deemed to be an emergency;
- Were applicants consulted about the offer – there was a need for the council to be supportive; and

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- What period of notice was given to applicants.
 - The Assistant Director – Housing responded that:
 - The Housing Allocation Team were aware of all information regarding each application and therefore the priority need of cases was assessed according to individual circumstances;
 - One offer would be made in liaison with the applicant however this could be reviewed if any factors had been overlooked; and
 - A reasonable notice period, assessed on a case-by-case basis, was given to applicants – for example, those moving from a hotel could move more quickly than those moving from a property.

- Members referred to proposed changes to the ‘overcrowding priority’ noted at point 2.2 of the report and expressed concern regarding how ‘overcrowding’ was defined and assessed. In particular, it was important that the nature and severity of overcrowding was individually established during priority assessments.
 - The Assistant Director – Housing responded that:
 - A statutory overcrowding assessment would be undertaken to establish need. Where overcrowding was established, such cases were moved to band 1. This mechanism remained unchanged from the existing policy;
 - The overcrowding priority considered additional vulnerabilities such as welfare and medical needs, rather than being solely based on bedroom requirements, and aimed to balance the increased homelessness pressures faced by the authority whilst ensuring a fair allocation of accommodation; and
 - Members comments regarding the need for clarification and expansion of the ‘overcrowding’ definition was noted.

- Members asked the following questions regarding accessibility needs of residents and the availability of adapted properties:
 - Members enquired which band would be allocated to an applicant who, as a result of an urgent medical need, such as disability, needed to move property or have a property adapted. It was hoped that these would be placed in the emergency band;
 - Were adaptations to a property carried out prior to or

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- after the resident had accepted the offer.
- How many applicants, in the emergency band, band 1 and band 2, could not be housed due to the lack of availability of adapted properties to match their needs. This information needed to inform SHDC policy in respect of the purchase or building of adapted properties.
 - The Assistant Director – Housing responded that:
 - Where a property could not be adapted, applicants would be placed in band 2 (urgent);
 - Discretion could be used to move applicants into the emergency band;
 - Adaptations could be made to a property prior to occupation and this would be carried out in liaison with the applicant to ensure needs were met;
 - Where the need for an adapted property was required, the applicant would be prioritised for an adapted property over an applicant who did not have such a need;
 - Members' request for the number of applicants unable to be housed in an adapted property would be investigated and circulated to the Panel after the meeting.
- Members referred to the sharing of information of a 'new tenant and their household' with the Department for Levelling Up, Housing and Communities and asked for clarification regarding:
 - The type of information that would be shared;
 - Whether the request for household information was justified as only the tenant had signed the agreement; and
 - Whether the tenancy would be invalidated if the submission of information was not forthcoming.
 - The Assistant Director – Housing responded that:
 - All social housing providers were required to submit information to the Department for Levelling Up, Housing and Communities through their 'Core' system;
 - The information was used by central government for statistical monitoring purposes and to ensure that properties were correctly

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- allocated;
 - The information submitted was extensive and related to the facts of the allocation, including, but not limited to: property type, property size, number of residents living in the property, type of rent and type of tenancy;
 - Sensitive data regarding an applicant's personal circumstances was not submitted; and
 - Should information not be given, the allocation of a tenancy would not be affected however a blank return would be queried by Core.
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- Members asked whether a person living in the same property as their parent, could be added to the tenancy agreement in order to inherit the tenancy in the future.
 - The Assistant Director – Housing stated that intergenerational tenancies ceased under the Housing Act in 2012 however a provision existed within the Housing Allocations Policy to assist with the provision of suitable alternative accommodation where a tenancy had ended.
 - If an applicant made themselves homeless by rejecting their 'one' offer of permanent accommodation, members asked whether SHDC would retain an obligation to rehouse them? Had resources to deal with resulting extra workload been considered?
 - The Assistant Director – Housing responded that:
 - A refusal for accommodation was considered unlikely due to the considerable work undertaken between the Housing Allocations Team and applicant prior to the offer being made;
 - If SHDC was satisfied that a reasonable offer had been made, then the applicant would be expected to exit supported accommodation should an offer be refused;
 - Should the applicant present as homeless thereafter, an immediate obligation would exist to investigate the circumstances however a duty to rehouse would not apply; and
 - Two offers of accommodation would be made

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- to homeless households in bands 3 and 4. Applicants in the emergency band who were owed the full housing duty would continue to receive one offer only. Applicants in supported housing, deemed ready for move on would also only receive one offer. The clarity of this point would be strengthened within the policy.
- The Assistant Director – Wellbeing and Community Leadership added that:
 - Under the revised policy, applicants who would be subject to 'one' offer of accommodation were those already in temporary accommodation. The aim of the policy change was to work with applicants to expedite the process of relocation from temporary accommodation to a permanent home.
 - Some members of the Panel remained unsure of the change to 'one' accommodation offer. Progress of the revised policy would be reviewed by the Panel one year from adoption.
 - Members requested the period that SHDC expected people to remain in temporary accommodation:
 - The Assistant Director – Wellbeing and Community Leadership responded that:
 - The period should be as short as possible - between 1 to 3 months;
 - Temporary accommodation not only bore budgetary pressures on the council but also contributed to issues relating to poor health and wellbeing outcomes;
 - Central government stipulated that children could only be housed in Bed and Breakfast accommodation for a maximum of 6 weeks;
 - The temporary accommodation period was sometimes affected due to the requirement for additional works on void properties.
 - Members asked for the average void turnaround period.
 - The Assistant Director – Housing responded that the most recent service update had reported an average void turnaround period of 28 days.

AGREED:

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After consideration of the Review of Housing Allocations Policy by the Policy Development Panel:

- a) That the Panel supported the recommendation to Cabinet to adopt the revised Housing Allocations Policy;
- b) That the Panel supported the recommendation to Cabinet to delegate minor operational amendments to the Assistant Director – Housing in consultation with the Portfolio Holder for Communities and Operational Housing;
- c) That the comments of the Panel be noted; and
- d) That a Housing Allocations Policy update be presented to the Policy Development Panel one year from adoption.

26. POLICY DEVELOPMENT PANEL WORK PROGRAMME

The Panel considered a report by the Interim Assistant Director – Governance (Monitoring Officer) which set out the Work Programme of the Policy Development Panel.

The Democratic Services Officer introduced the report and outlined the following main points:

Appendix A set out the dates of future Panel meetings along with proposed items for consideration. The programme included policies that were either due for review or were undertaking their first annual review, as discussed at agenda item 9 (SHDC Policy Register and S&ELCP Policy Register).

Appendix B set out the Task Groups that had been identified by the Panel.

Following discussions at the 25 July 2023 Policy Development Panel meeting, the report asked Panel members to consider whether they wished to set up a Street Scene Task Group.

The Chairman gave the following update to the Panel in respect of the breadth of a potential Street Scene Task Group:

- At the last meeting, the Panel had identified a potential Planning Policy focus for the task group however upon subsequent discussion the subject was deemed to have a broader reach which needed to incorporate other service areas;
- Some strategic improvement work had recently taken place in Spalding Town Centre which a task group could work with / learn from for the benefit of the district;

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- If the Panel wished to establish the task group, it was suggested that the lead officer responsible for the Spalding Town Centre improvements, the Assistant Director – Strategic Growth and Development, be invited to the first meeting in order to share the progress and plans for Spalding Town Centre. This would assist with the formation of a district-wide scope for the new task group and remove any duplication of proposed work;
- Members were requested to express their interest in joining the task group. Five members volunteered and membership of the Street Scene Task Group was confirmed as Councillors: Ashby, Geaney, J Le Sage, Whitbourn and Woolf.

AGREED:

- a) That the Policy Development Panel Work Programme 2023/2024 be noted; and
- b) That a Street Scene Task Group be formed with membership as stated.

27. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

The Chairman asked members' opinion, by way of a vote, on the relocation of future Policy Development Panel meetings from the Council Chamber to Meeting Room 1.

AGREED:

That future Policy Development Panel meetings be held in Meeting Room 1.

(The meeting ended at 8.25 pm)

(End of minutes)