

AGENDA



- Committee - **CABINET**
- Date & Time - Wednesday, 17 January 2024 at 6.30 pm
- Venue - Council Chamber, Council Offices, Priory Road, Spalding

Membership of the Cabinet:

Councillors: C N Worth (Leader), G J Taylor (Deputy Leader), T A Carter (Deputy Leader), J R Astill, H J W Bingham, A Casson, P A Redgate, E J Sneath and J Tyrrell

No substitutions permitted. Quorum 3.

Note: Cabinet reports may be referred to Council or Scrutiny Panels. They should therefore be kept for future reference during the current committee cycle.

Persons attending the meeting are requested to turn mobile telephones to silent mode

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 9 January 2024

AGENDA

1. Apologies for absence.
2. Minutes -
To sign as a correct record the minutes of the following meetings:
 - a) Cabinet - (Pages 7 November 2023 (copy enclosed) 5 - 12)
 - b) Special meeting of the Cabinet - (Pages 12 December 2023 (copy enclosed) 13 - 18)
3. Declarations of Interest. -
(Where a Councillor has a Disclosable Pecuniary Interest the Councillor must declare the interest to the meeting and leave the room without participating in any discussion or making a statement on the item, except where a Councillor is permitted to remain as a result of a grant of dispensation.)
4. Questions raised by the public under the Council's Constitution (Standing Orders).
5. To consider any matters which have been subject to call-in.
6. To consider matters arising from the Policy Development and Performance Monitoring Panels in accordance with the Overview and Scrutiny Procedure or the Budget and Policy Framework Procedure Rules.
7. Joint Annual Scrutiny of the South & East Lincolnshire Councils Partnership - (Pages 19 - 48)
To review the Partnership's progress against the opportunities identified in the business case and key lines of enquiry (report of the Partnership Scrutiny Task Group enclosed).
8. Budget Overview 2024/25 - 2028/29 (Including Budget Consultation) - (To Follow)
To consider the draft budget and approve for consultation
9. Lincolnshire Discretionary Housing Financial Assistance Policy - (Pages 49 - 178)
To recommend adoption of the policy and enable eligible clients to be more consistently assisted across the South and East Lincolnshire Councils Partnership (report of the Assistant Director – Wellbeing and Community Leadership enclosed).
10. Review of Housing Allocations Policy - (Pages 179 - 238)
To adopt the revised Housing Allocations Policy (report of the Assistant Director – Housing enclosed).
11. South & East Lincolnshire Councils Partnership Customer Experience Strategy - (Pages 239 - 256)
To adopt the South & East Lincolnshire Councils Partnership Customer

Experience Strategy and to commit to supporting the delivery of the vision, principles and approach to Customer Experience across Council services (report of the Assistant Director for Wellbeing and Community Leadership enclosed).

12. Q2 Performance Report 23-24 - (Pages 257 - 282)
To provide an update on how the Council is performing for the period 1 July 2023 to 30 September 2023 (report of the Assistant Director – Corporate enclosed).
13. Any other items which the Leader decides are urgent. -

- Note:
- (i) No other business is permitted unless by reason of special circumstances, which shall be specified in the Minutes, the Leader is of the opinion that the item(s) should be considered as a matter of urgency.
 - (ii) Any urgent item of business that is a key decision must be dealt with in accordance with the Constitution's Access to Information Procedure Rules.

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Minutes of a meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 7 November 2023 at 6.30 pm.

PRESENT

C N Worth (Leader)

G J Taylor (Deputy
Leader)
T A Carter (Deputy
Leader)
J R Astill

H J W Bingham
A Casson
P A Redgate

E J Sneath
J Tyrrell

Apologies for absence were received from Councillor A Woolf (Chairman, Policy Development Panel).

The Deputy Chief Executive – Corporate Development (S151), the Head of Revenues & Benefits (PSPS), the Team Leader - Revenues and Recovery (PSPS), the Head of Procurement (PSPS), the Group Manager – Insights and Transformation, the Group Manager – Communications and Engagement, the Democratic Services Manager and the Democratic Services Team Leader.

In Attendance: Councillor B Alcock (Chairman, Performance Monitoring Panel), Councillor A C Beal (Chairman, Governance & Audit Committee) and Councillor R A Gibson (Leader, Independent Group).

24. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from the Joint Chief Executive and the Chairman of the Policy Development Panel.

25. **MINUTES**

The minutes of the meetings of Cabinet on 12 September 2023 and Special Cabinet on 26 September 2023 were agreed and signed by the Leader, after the points raised below had been considered:

- Cabinet minutes 12 September 2023 – minute 18. Members believed that no response had been provided to the question asked regarding the building of affordable housing by the developer the properties had been purchased from. Officers advised that a response would be circulated.
- Special Cabinet minutes 26 September 2023 – the Chief Finance Officer (PSPS) was listed as an attendee but had not been at the meeting. The minutes would be amended to reflect this.

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26. DECLARATIONS OF INTEREST.

There were no declarations of interest.

27. QUESTIONS RAISED BY THE PUBLIC UNDER THE COUNCIL'S CONSTITUTION (STANDING ORDERS).

There were none.

28. TO CONSIDER ANY MATTERS WHICH HAVE BEEN SUBJECT TO CALL-IN.

There were none.

29. TO CONSIDER MATTERS ARISING FROM THE POLICY DEVELOPMENT AND PERFORMANCE MONITORING PANELS

There were none.

30. LGA CORPORATE PEER CHALLENGE REPORT AND ACTION PLAN

Consideration was given to the report of the Assistant Director – Corporate which requested that Cabinet receive the findings of the SHDC LGA Corporate Peer challenge and an associated action plan.

The Leader presented the report, and addressed the particular items for concern as raised by the Peers:

- Overspend in previous year (£842,000 rather than £1 million as quoted in the report) – in line with Councils nationally, there were significant financial pressures aligned to homelessness, contract prices, pay, power and fuel.
- Internal Drainage Boards – This was an area of substantial challenge and although money had been received from central government, it was not sufficient to offset the full impact on the budgets for this or the last year.
- A new Cabinet had been in place following the District Election, and Portfolio Holders were working well with officers to identify options, efficiencies and income for both the current year and future years – this work was ongoing.
- The figures produced in March and reviewed by the Peer Review were now being updated as part of next year's budget setting process, with plans to be produced alongside that budget to address shortfalls.
- The Authority did have solid reserves and good cash balances and was therefore in a good position to manage these challenges over the short to medium term.

The following points were highlighted:

- The Key Recommendation at 2.9 (Strengthen how the voice of residents and communities systematically inform future service delivery and unlock the potential of the voluntary community sector) suggested that systematically routing in service user and community views would strengthen SHDC's intelligence on – and ability to respond to – service performance and community needs. Members

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commented that a number of bodies were invited to Cabinet members but not many took the opportunity to attend – efforts should be made to encourage these bodies to attend so that their views could be heard.

- The Peer Review stressed the need to look at more independence on scrutiny committees. The Constitution currently did not allow for lay people to serve on the Governance and Audit Committee (BBC and ELDC did have lay people on their equivalent committees). The Peer Review also stated that the Constitution was to be reviewed – what was the timescale for this?
 - The Leader responded that there was currently no specified timescale for the review however, it would be useful to have a lay person on the Governance and Audit Committee. This would tie in with the review of the Constitutions across all three councils. The review would take some time but the issue of lay people serving on the Governance and Audit Committee would be brought forward as soon as possible.
- There were a number of actions under the action plan – 1) Was there the capacity to deal with all of them; 2) What were the most important areas to contrate on; and 3) Within the Action Plan, a number of the housing–related actions were marked as N/A – why was this?
 - It was confirmed that there was the capacity to deal with the actions, and they were all priorities. The Leader commented that he believed the Medium-Term Financial Savings Action Plan was particularly important and good progress was being made with appointments within PSPS. A report would come forward in 6-12 months to provide progress on actions. Some were already ongoing or complete.
 - With regard to the items marked as N/A, it was confirmed that some of these were already being dealt with. It would however be worthwhile refreshing the Action Plan to make the status clearer.

DECISION:

- 1) That the findings from the LGA’s Corporate Peer Challenge at Appendix A be noted;
- 2) That the action plan at Appendix B be approved; and
- 3) That the update regarding the recommendations from the Housing Peer Review (Appendix C) be noted.

(Other options considered:

- *That the recommendations not be agreed.*

Reasons for decision:

- *To ensure that Cabinet is formally sighted on the LGA Corporate Peer Challenge findings and has an action plan in place to take forward the recommendations.)*

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31. **SUB-REGIONAL STRATEGY FOR THE SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP**

Consideration was given to the report of the Assistant Director – Corporate which recommended to Council the South & East Lincolnshire Councils Partnership Sub-regional Strategy.

The Leader presented the report, after which the following points were raised:

- At Appendix B within the comments relating to Vision, members commented that they seemed to imply progressing with BBC and ELDC to a standalone unitary authority – was this the case?
 - The Leader commented that when the Partnership had been set up, there had always been the option in the future to investigate the possibilities of becoming one council if required. This could provide many benefits and was an ambition laid out within the comments.
- Members stated that the missions from central government were very ambitious- it was hoped therefore that issues such as digital connectivity and transport infrastructure could be progressed more quickly. There was a need for considerable input in these areas.
- At 2.6 within the covering report under feedback from the SHDC Joint Policy Development and Performance Monitoring Panel meeting of 11 October 2023, one of the responses to the feedback was ‘specific reference to parish councils removed in all three to avoid confusion’ – why was it believed that there would be confusion?
 - Officers advised that one of the other authority’s had requested it as it was felt that there was too much detail in the Strategy, that the number of Parish Councils was found elsewhere and that it was not relevant to the Strategy itself. Consistency across all three authorities was required.

DECISION:

That Cabinet agree to recommend to Council:

- 1) That the Sub-regional Strategy at Appendix A be agreed, subject to any final consultation feedback as agreed by the Leader as portfolio holder; and
- 2) That the Sub-regional Strategy becomes a line of inquiry in the Partnership’s Annual Scrutiny.

(Other options considered:

- *Do nothing. It had already been agreed by councillors, via the Annual Delivery Plan, that a Sub-regional Strategy for the Partnership should be developed. As such, this option was discounted.*

Reasons for decision:

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- *The opportunity to align strategic priorities across the Councils through a single Sub-regional Strategy provided a Partnership platform to further realise the benefits of collaborative working;*
- *Having the single Strategy would demonstrate to external partners our alignment in key areas and collective focus on addressing the issues of strategic importance to our sub-region. This would be particularly helpful when engaging with Government and funders.)*

32. FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS POLICY

Consideration was given to the report of the Assistant Director Governance and Monitoring Officer which presented a draft updated FOI/EIR policy for the Council and sought approval from Cabinet.

The Portfolio Holder - Corporate, Governance and Communications presented the report.

DECISION:

That the draft FOI/EIR Policy be approved.

(Other options considered:

- *That the recommendations not be agreed.*

Reasons for decision:

- *To ensure the Council was meeting its statutory requirements in relation to FOI and EIR.)*

33. PROCUREMENT STRATEGY - 2023-2026

Consideration was given to the report of the Head of Procurement and Contracts which asked Cabinet to consider a new Procurement Strategy for 2023 – 2026.

The Portfolio Holder – Finance, Commercialisation, UKSPF and Levelling Up presented the report, after which the following points were raised:

- The Governance and Audit Committee had considered the document which was very welcome. Procurement was being dealt with by PSPS – it was important to ensure that appropriate management controls were in place. In addition, was there a procedure in place for officers within PSPS to declare any interests?
 - Officers explained their process for declarations of interest and confirmed that procedures were in place.
- Members commented that scrutiny was mentioned but not defined – how would scrutiny take place, and how would success be measured? It was again stated that there was a great reliance on IT and this must be a priority. Additionally, the question of affordability was a concern to be noted. Finally, were there any added costs to the authority for PSPS taking on the responsibility for procurement?

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- Officers responded that an Action Plan with timescales would be produced and this would be shared on an annual basis with all that wished to scrutinise it. The action plan would focus on articulating the main areas of focus for the services being provided. With regard to the cost of the service, this had already been incorporated into the budget. The service was already identifying savings and areas where price increases could be avoided through smarter procurement.

DECISION:

- 1) That the Procurement Strategy at Appendix 1 be approved;
- 2) That the feedback from Policy Development Panel be noted

(Other options considered:

- *To do nothing – this would result in the Council continuing to have no formal Procurement Strategy in place.*

Reasons for decision:

- *To ensure that the Council had a clear Procurement Strategy for the next 3 years;*
- *To agree a single approach to procurement across the Partnership that maximised the savings opportunities for the Councils;*
- *To ensure compliance with audit requirements as some of the Partner Councils have had audit recommendations to update their Procurement Strategies.*
- *To help support key Council priorities, such as sourcing local suppliers, procuring sustainably and ethically.)*

34. LOCAL COUNCIL TAX SUPPORT SCHEME (CONSULTATION) 2024/25

Consideration was given to the report of the Deputy Chief Executive – Corporate Development (S151) which requested that Cabinet agree consultation proposals for the local Council Tax Support scheme, 2024/25.

The Portfolio Holder – Finance, Commercialisation, UKSPF and Levelling Up presented the report, after which the following points were raised:

- The report mentioned that the review provided the opportunity to simplify scheme administration – this was welcomed.
- Under Financial Implications, it was noted that further investment may be required for software – the importance of IT was again stressed.

DECISION:

That consultation on continuation of the current Council Tax Support scheme, including uprating in line with DWP's annual update of allowances and premiums for 2024/25 be approved.

(Other options considered:

- *To do nothing – this would see the current scheme retained without uprating.*

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Reasons for decision:

- *To continue to align the CTS scheme and uprating for working age customers with DWP provisions for Housing Benefit and the CTS scheme for pensioners. This had been consistent each year since the introduction of the local scheme;*
- *Additional analysis work as part of this year's review added further emphasis to the need for a more fundamental scheme review, and work would be in the next few months with any resulting new scheme being implemented 2025/26).*

35. DEBT WRITE OFF

Consideration was given to the report of the Deputy Chief Executive – Corporate Development (S151) which sought approval for the write off of uncollectable debt.

The Portfolio Holder – Finance, Commercialisation, UKSPF and Levelling Up presented the report.

Members agreed that only the principles of the report would be discussed and there was therefore no need for the meeting to go into private session.

DECISION:

That the amounts identified in the report, as detailed below, be approved for write off:

Council Tax	£ 2,582.45
Business Rates	£39,997.17
Housing Benefit Overpayment	£ 4,240 30
Total	£46,819.92

(Other options considered:

- *Not to approve the amounts for write off, however this would leave uncollectable debt showing on the Council's records.*

Reasons for decision:

- *All recovery methods have been considered and where appropriate pursued, before making the decision to write off. Debts will be written off against provisions in the Council's accounts.*
- *Officer time can be maximized on greatest returns, at the same time as ensuring robust procedures for debt management are in place across all revenue streams.*

36. ANY OTHER ITEMS WHICH THE LEADER DECIDES ARE URGENT.

There were none.

(The meeting ended at 7.14 pm)

(End of minutes)

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on **22 November 2023**.

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Minutes of a Special meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 12 December 2023 at 1.00 pm.

PRESENT

C N Worth (Leader)

G J Taylor (Deputy
Leader)
T A Carter (Deputy
Leader)

H J W Bingham
A Casson

P A Redgate

Apologies for absence were received from Councillors J R Astill and E J Sneath, together with Councillor A Woolf (Chairman, Policy Development Panel).

The Deputy Chief Executive – Corporate Development (S151), the Chief Finance Officer (PSPS), the Head of Finance (Client) (PSPS), the Strategic Finance Manager (PSPS) and the Democratic Services Team Leader.

In Attendance: Councillor B Alcock (Chairman, Performance Monitoring Panel) and Councillor A C Beal (Chairman, Governance & Audit Committee).

37. **DECLARATIONS OF INTEREST.**

There were none.

38. **2023/24 QUARTER TWO FINANCE UPDATE**

Consideration was given to the report of the Deputy Chief Executive Corporate (S151) which set out the current financial position for the Council at the end of the second quarter of 2023/24.

The Portfolio Holder for Finance, Commercialisation, UKSPF and Levelling Up presented the report.

With the agreement of the Leader, a Special Cabinet meeting was being held for this item as additional time was required to consider all aspects of the report and to review some of the variances in more detail. This work had now been completed.

Throughout the year quarterly monitoring reports were completed, forecasting the expected year end outturn compared to the approved budget. The report provided information on the forecast full year financial performance as at 30 September 2023.

This year continued to be challenging with high inflation impacting on contract uplifts, power, pay and fuel. Pressures within homelessness continued to be an area of concern, and market downturn generally as the economy reacted to high interest

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rates and the cost of living increase impact fed through. In addition, the impact of the pay award, which was not reflected in the report but would be in Quarter 3, was likely to surpass the budget allowance despite budgeting very prudently at 5% across the workforce.

Revenue Outturn

The revenue outturn forecasted a deficit position of £338,000 at the year-end – Table 1 within Appendix A laid out the detail. The following matters were raised for Cabinet's attention:

- The largest change since Q1 was within the Finance area of the budget. A movement of £381,000 had taken place in respect of Finance – this related mainly to £186,000 rent allowances, and £80,000 rent rebates as a result of not being able to reclaim full subsidy for Homelessness cases in particular Bed and Breakfast. The Portfolio Holder for this area had been supporting the officer team to investigate opportunities for minimising and mitigating this impact. It was also noted that these movements were due to using the mid-year estimates and could be subject to further change. In addition, there had been some duplication of income streams that were previously separately funded, totalling £98,000, that had now been adjusted for. Also, there had been an increase in external audit fees, and this was an increase being seen across all audit areas.
- In relation to General Fund Assets, car parking income was not performing as well as expected. However, with changes to working practices in the service and the procurement of new car parking machines, improvement was expected going forward. Work was currently being undertaken to look at garage sites and their income generally and new tenants for the Priory Road offices were being investigated.
- In Leisure and Culture, there was a pressure from the loss of a tenant at the South Holland Centre and again the service was looking at options for addressing this budget impact.
- With regard to Neighbourhoods, there had been additional pressures from Agency Staff and this had been offset by unbudgeted income. The service continued to look at options for managing Agency Staff pressures.
- With regards to Planning, members were advised that there had been some recent increases in fees and charges. This income stream was always an area that struggled during an economic downturn, and monitoring was therefore required.
- Homelessness continued to be an area of significant focus and attention.
- Investment Income continued to over-perform due to better than anticipated interest rates.
- Adjustments for Minimum Revenue Provision relating to vehicles had been made.

As members were aware, the 2023/24 budget included a savings efficiency target of £887,000, savings achieved to date could be found in table 1b, totalling £611,000. Further work was planned to look at other opportunities to address the £276,000 outstanding.

In addition, in order to assist the budget, a release from reserves of £300,000 of the New Homes Bonus received (currently in reserves) was being requested. The

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reserves position in Table 2 did not include this request. Once approved, the table would be updated for Quarter 3 to reflect the increased forecast use of reserves.

HRA

With regard to the HRA, Table 3a showed that there were budget variances taking place again due to inflationary pressures, demand for services, and due to new more demanding statutory responsibilities, in addition to some budget adjustments that were taking place. The overall position was a surplus of £1.620 million.

Capital: General Fund/HRA

For Capital, Tables 4 and 7 provided details of all capital schemes. The revised capital budget as at Q2 was £27.081 million for the General Fund and £23.897 million for the HRA. The LUF funded Health and Wellbeing hub represented the largest area of spend for the General Fund and a detailed note was set out below that table in terms of the current position. Changes to the capital programme were now also being clearly tracked to provide transparency of changes between one report to another. Slippage continued to be carefully monitored and considered and budgets refined as the budget setting process was progressed.

Treasury

With regards to Treasury Management the Council's cash continued to perform well with £168,000 achieved in excess of budget.

After presentation of the report, the following points were raised:

- It was noted that there were many references to misalignment of budgets within the report – what was the reason for this frequency?
 - Officers responded that as a result of staff turnover over the past year, and the reduction in detailed scrutiny of the 2023/24 budget, there had been more misalignment than in previous years. However, a new team was in place and would ensure that scrutiny of the 2024/25 budget and future budgets would take place. The issues resulting from a difficult year were currently being worked through.
- Members asked whether, once the misalignments had been taken into account, there was any impact on the budget?
 - Officers responded that there was a net adverse variance as a result of misalignment. The budget going forward had been adjusted to take account of this.
- Members asked what the amount of the impact on the budget was.
 - The Portfolio Holder for Finance, Commercialisation, UKSPF and Levelling Up was not able to provide a figure to members immediately and would advise in due course. He had confidence in the team going forward.

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- Members asked whether, with regard to homelessness the authority was underproviding in this area, given the increase in demand. Was the authority confident that there was sufficient resource and money to address a situation which would only become worse in the new year?
 - The Portfolio Holder for Communities and Operational Housing commented that she was happy from a resources perspective that the issue could be addressed. The team was now fully staffed and improvements could be seen, resulting in a lot of preventative work avoiding the risk of homelessness in some cases. There had been a reduction in the use of Bed and Breakfast accommodation, the stress on the budget was moving in the right direction. The Deputy Chief Executive - Corporate (S151) would be able to ascertain whether the budget around Homelessness and Housing was sufficient. The Portfolio Holder felt that over the year, the budget would be exceeded however, there was confidence going forward.
 - The Deputy Chief Executive Corporate (S151) stated that the support being requested for 2024/25 was less than 2023/24, a positive direction of travel. Regarding turnaround times for Benefit claims the process was being sped up, a significant improvement from the last year.

- With regard to the six-monthly figures and projections relating to the Capital Programme, it appeared that there would be a substantial underperformance around capital expenditure. If this was due to a lack of resource, could this potentially have an impact on the replacement of the leisure provision in Spalding?
 - The Deputy Chief Executive - Corporate (S151) advised that there was a detailed note at the foot of table 5 within Appendix A. The MoU from Government had been signed off but this process often took some time. Members were assured that a project board had been set up for this project, and that there were also project sponsor board meetings taking place and there was a sufficient resource around the project.

- Members asked if there was also sufficient resource around other capital projects?
 - As part of the budget setting process, work would be undertaken with managers for the next year. It was important to develop a more pragmatic approach regarding budgeting to ensure that the profiling of the spends matched the timelines.

- Members asked whether any conclusions could be drawn/lessons learned from the report going forward?
 - The Leader commented that there had been technical issues around software being used, and relevant staff getting the most use out of it. Accuracy of reporting was also important. Some issues could still arise over the next few months however, many had now been rectified. With regard to the Finance team, much work had been undertaken to ensure the correct profile for the new team going forward. It was also important to understand what the administration wanted to achieve, and also to remove errors around duplication and the budget setting process.
 - The Portfolio Holder for Finance, Commercialisation, UKSPF and Levelling Up commented that with regard to lack of scrutiny and

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visibility of information, it was important to consider the language used regarding information, and how it was to be presented. This was necessary in order that good, informed decisions could be made. A strong team was now in place which would provide all teams within the authority the opportunity to have foresight and visibility in decisions they were making.

- Members commented that there were a large amount of different systems used across the Council – it was important to rationalise and simplify this going forward.

DECISION:

- 1) That Cabinet notes the forecast revenue position of a £338,000 overspend for 2023/24 as detailed in Table 1.
- 2) That Cabinet notes the forecast revenue position of the HRA for 2023/24 (surplus of £1.620m) as detailed in Table 3a.
- 3) That Cabinet approves the amendment to the HRA Capital Programme at Appendix A – Table 7 to take into account the changes set out in the report.

RECOMMENDATION TO COUNCIL:

- 4) That Cabinet refers to Full Council the approval of the use of New Homes Bonus (NHB) from reserves of £300,000 to alleviate in year budget pressures.
- 5) That Cabinet recommends to Full Council to amend the Capital Programme at Appendix A – Table 4 to take into account the changes set out in this report.

(Other options considered:

- *To not approve the reserve movements outlined within the report.*

Reasons for decision:

To ensure the Council's forecast financial position for 2023/24 is considered and related decisions approved. It is important that the Cabinet are aware of the financial position of the General Fund to ensure that they can make informed decisions that are affordable and financially sustainable for the Council.)

(The meeting ended at 1.21 pm)

(End of minutes)

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on 24 January 2024.

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REPORT TO:	Cabinet
DATE:	17 th January 2024
SUBJECT:	SCRUTINY REPORT - Joint Annual Scrutiny of the South & East Lincolnshire Councils Partnership
PURPOSE:	To review the Partnership's progress against the opportunities identified in the business case and key lines of enquiry.
KEY DECISION:	No
REPORT OF:	Councillor Chris Brewis (SHDC) on behalf of the Partnership Scrutiny Task Group
WARD(S) AFFECTED:	ALL
EXEMPT REPORT?	No

SUMMARY

The Overview and Scrutiny Committees of Boston Borough Council, South Holland District Council, and East Lindsey District Council commissioned a joint Scrutiny Task & Finish Panel to undertake a review of the progress on the opportunities identified in the approved business case for the South & East Lincolnshire Councils Partnership.

Note: All content is contained in the attached member report and not summarised in this covering report.

RECOMMENDATIONS

- To note the attached report (**Appendix A**) and associated recommendations;
- For the Cabinet to agree the recommendations contained within the report.

REASONS FOR RECOMMENDATIONS

To continue to learn, build on our experiences and continue our success as a Partnership of Councils.

OTHER OPTIONS CONSIDERED

None.

1. REPORT

1.1 This report brings forward a joint scrutiny report at **Appendix A**. The scope of this work was set out by the Overview and Scrutiny Committees at ELDC, SHDC, and BBC and is attached at **Appendix B**.

1.2 This report has been presented to each of the Partnership Councils' relevant sovereign scrutiny committees before being brought to Cabinet for consideration. The scrutiny work undertaken was required under the Partnership's Memorandum of Agreement and is an annual commitment.

1.3 All content is contained in the attached Member report (**Appendix A**) and not summarised in this covering report. **Appendices C – E** contain background information gathered by the panel.

EXPECTED BENEFITS TO THE PARTNERSHIP

The opportunity for the Partnership to learn from its experience and continue to build on its success as it moves forward.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

Only those considered by the Panel in the attached report.

CORPORATE PRIORITIES

Only those considered by the Panel in the attached report.

STAFFING

Only those considered by the Panel in the attached report.

WORKFORCE CAPACITY IMPLICATIONS

Only those considered by the Panel in the attached report.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

Only those considered by the Panel in the attached report.

DATA PROTECTION

None.

FINANCIAL

Only those considered by the Panel in the attached report.

RISK MANAGEMENT

None.

STAKEHOLDER / CONSULTATION / TIMESCALES

Consultation with a number of councillors and officers was undertaken and helped form the basis of the final report and recommendations. Details of the questionnaire undertaken with all Councillors across the Partnership can be found at **Appendix C**.

REPUTATION

Only those considered by the Panel in the attached report.

CONTRACTS

None.

CRIME AND DISORDER

None.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None.

HEALTH AND WELL BEING

None.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None.

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

None.

ACRONYMS

None.

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
APPENDIX A	Report of the panel
APPENDIX B	Scoping document
APPENDIX C	Questionnaire Themes
APPENDIX D	Partnership Progress Document 1
APPENDIX E	Partnership Progress Document 2

BACKGROUND PAPERS No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT	
Name of body	Date
PMP	15 th November 2023
Full Council	18 th January 2023
Performance Monitoring Panel	29 th November 2022

REPORT APPROVAL	
Report author:	Councillor Chris Brewis (SHDC) on behalf of the Partnership Scrutiny Task Group
Signed off by:	Rebecca James, Scrutiny Officer
Approved for publication:	James Gilbert, Assistant Director - Corporate

JOINT SCRUTINY TASK AND FINISH GROUP

Joint Scrutiny of the Partnership 2023 – Final Report

Councillors ELDC: F. Martin (Vice Chair), C. Dickinson, G. Horton

Councillors BBC: S. Welberry, C. Rylott, L. Savickiene

Councillors SHDC: C. Brewis (Chair and Report Author), B. Alcock, M. Booth

Officers: James Gilbert (Assistant Director, Corporate) Rebecca James (Scrutiny & Policy Officer)

Guest Witnesses: Councillor Craig Leyland (Leader, ELDC), Councillor Anne Dorrian (Leader, BBC), Councillor Nick Worth (Leader, SHDC), Rob Barlow (Joint Chief Executive), Christine Marshall (Deputy Chief Executive / S151 Officer), Adrian Sibley (Deputy Chief Executive, Programme Delivery), John Leach (Deputy Chief Executive, Communities), Rachel Robinson (Group Manager, Organisational Development), 2 members of the staff forum (anonymous)

Background and Introduction

On 1st October 2021, Boston Borough Council, East Lindsey District Council, and South Holland District Council formed the South & East Lincolnshire Councils Partnership.

The Councils each retained their independence but have been working towards a single officer team to deliver the Partnership Business Case for the sub-region and each Council's respective priorities. The Partnership was projected to deliver £42 million in efficiency savings over ten years; whilst providing all three Councils with greater capacity to deliver their priorities.

The approved business case demonstrated a number of opportunities for the Partnership. Progress on these identified opportunities form the basis of this annual joint scrutiny of the Partnership and can be found in the scoping document at **Appendix B**.

The panel met 5 times, interviewed 10 witnesses with a set of standard questions, and conducted a short questionnaire among all Councillors to canvass their views. The key themes that came out of the questionnaire are attached at **Appendix C**. Partnership Progress documents can be found at **Appendix D and E**.

Evidence Gathering

The questions below were asked of all guest witnesses. Questions 1, 2, and 4 were also used for the all-Councillor survey. 44 Councillors from across the Partnership responded, which constitutes a 36% response rate.

1. What do you think have been the positives of the S&ELCP so far?
2. What would you improve about the S&ELCP? Is there anything you would do differently?
3. What progress has there been against the recommendations in the original business case and what issues have there been in terms of implementation?
4. What do you think the key area(s) of focus should be for the Partnership in the year ahead?

Panel Discussion and Analysis

I think I speak for the whole 'task and finish group' in saying how very much we appreciated the willingness of members, directors, and staff to deal with our questions both frankly and thoroughly.

We were also pleased to find that the responses regarding both progress thus far, and issues still to be addressed, were almost unanimously in agreement!

The overall impression we have got was, in short:

"Thus far, so good and well done, but much still needs to be done to make our partnership even more effective and successful".

Issues raised by many of those we spoke with covered specific areas of concern.

Retention of staff and successful recruitment were considered essential. Mention was made by several people regarding success coming from internal training, and also of contacts with further education institutions, but much remained to be done.

Alignment, especially but not only in ICT, was regarded as essential, and was still raised as an issue.

There is a need for regular briefings of members, and to others, regarding progress on aims, and how the partnership is working together.

All responders stressed that closer alignment could very well bring disproportional (in the positive sense!) benefits, but as with all suggestions, there needs to be clear intended deadlines as to when an improvement might be achieved.

Sight should not be lost of devolution, whether sought by ourselves, or imposed by a government of either persuasion, and on where our intentions and preferences might lie.

Differential pay scales were raised. This is a very complex issue, but needs to be faced up to, even though it is largely caused by 'history' of the Councils' pre-Partnership.

Capacity is a very large issue, but successful recruitment would help address this.

Our close relationship with PSPS has been mentioned frequently, and our recommendation acknowledges that, and stresses the 'common issues' which are shared with the Partnership. There is the need to continue the good working relationship with PSPS to ensure challenges in recruitment and capacity can be tackled successfully to support the delivery of key projects/priorities.

We were especially impressed by the 'Partnership Progress Delivery Update' documents (found at **Appendix D and E**), which illustrated just how much had been achieved within S&ELCP in quite difficult times.

We may sometimes need 'outside help' to enable us to meet our aims more expeditiously.

Councillor expectations should be high. We cannot afford, even momentarily, to 'sit back on our laurels', despite already having been noticed regionally and nationally. We also need to build on our links, not only with PSPS, but with all other partners.

We have a number of recommendations, which we commend to you. I would like very much, as Chair of the Task Group, to express my sincere gratitude to the members of the Task Group, for their constantly constructive involvement, and to thank James Gilbert, and above all Rebecca James, for their unstinting help to us, enabling us to reach this position and report back to yourselves.

Recommendations

1. ICT:
 - a) Estimated timescales to be added to the ICT action plan as soon as they are known, with the priority being the ability for staff to collaborate more easily across the Partnership.

2. Communication:
 - a) Promote the work being done internally around retention and recruitment so there is better awareness amongst staff of activity and progression opportunities, including further education;
 - b) Promote the Partnership to raise awareness of its benefits to staff, Councillors, and residents;
 - c) Arrange Partnership-wide briefings to provide key updates on the activity and progress of the Partnership as appropriate/relevant.

3. Capacity:
 - a) Take account of workload when bidding for and accepting future funding/grant opportunities – for example, look to work with partners on projects to bolster capacity;
 - b) Look to ensure activity in recruitment and retention works towards a further improvement to the work done around new recruits, career development and succession planning;
 - c) For the Partnership and PSPS to work closely together to ensure resources are available to support the delivery requirements of both organisations.

4. Alignment:
 - a) Constitution – to accelerate the alignment of the 3 constitutions as a priority and develop an associated timeline;
 - b) Service reviews – to ensure these are progressed at the earliest opportunity to allow full advantage for team working;
 - c) Pay scales and T&Cs – to clearly set out timescales for the review of staff terms and conditions and shared officer pay.

Report author: Councillor Chris Brewis



JOINT SCRUTINY TASK & FINISH GROUP Project Scoping Template

Topic: Joint Scrutiny of the South & East Lincolnshire Councils Partnership 2023

Objectives and Key Issues:

The function of scrutiny within each of the partner Councils plays an important and key role within the overall governance arrangements for each of the partnership Councils and for the Partnership as a whole.

The approved business case demonstrated a number of opportunities for the South & East Lincolnshire Councils Partnership.

Progress on these identified opportunities, plus other key issues, form the basis of this annual joint scrutiny of the Partnership.

Lines of Enquiry:

1. To review delivery of the recommendations from the 2022 Partnership annual scrutiny;
2. To consider progress against the Peer Review recommendations from 2022;
3. To consider how the partnership is responding to shared and common challenges and opportunities at a local, corporate, and sub-regional level across the southeast region of Lincolnshire;
4. To review the progress being made to achieve the combined financial opportunity of up to £42m (if all service integration opportunities are embraced) identified in the Partnership business case.
5. How is the partnership building on the existing and successful PPS Ltd relationship in order to improve service effectiveness and efficiency;
6. How is the Partnership securing service delivery improvements and resilience across the Partnership;
7. How is the Partnership creating additional capacity and increased resilience to do more for our communities;
8. To cement a solid foundation of partnership working ahead of the potential for devolution and local reform;
9. To consider the increased opportunities to secure external funding to enable the

<p>future prosperity for our communities;</p> <p>10. To understand progress in delivering a sub-regional Growth Strategy; and</p> <p>11. To seek assurance that the Digital Strategy and ICT Roadmap is making progress.</p> <p>Standard Areas to Consider</p> <p>Relationship with Annual Delivery Plans: as per the lines of enquiry above</p> <p>Financial Implications: as per the lines of enquiry above</p>
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<p>Witnesses</p> <p>Internal: ELDC/BBC/SHDC Leader & Deputy Leader, Chief Executive, ELDC/SHDC/BBC Members, Other relevant officers TBC by panel</p> <p>External: PSPS Chief Executive? PSPS Head of ICT & Digital?</p>
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<p>Resources</p> <p>Liaison Officer: Rebecca James, Scrutiny & Policy Officer, S&ELCP James Gilbert, Assistant Director, Corporate</p> <p>Required officer expertise: To be decided as the scrutiny review progresses</p>
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<p>Timescale</p> <p>Start date: 5th October 2023</p> <p>End date: 6th November 2023</p> <p>Target ELDC Overview Committee Meeting: 28th November</p> <p>Target BBC Overview & Scrutiny Meeting: 19th December</p> <p>Target SHDC Scrutiny Committee Meeting: 15th November</p> <p>Target Cabinet / Executive Board Meeting: ELDC 10/01, SHDC 09/01, BBC 16/01</p>

<p>What do you think have been the positives of the S&ELCP so far? Do you have any examples of positive impact you would like to share?</p>	<p>What would you improve about the S&ELCP? Do you have any suggestions you would like to share?</p>	<p>What do you think the key area(s) of focus should be for the Partnership in the year ahead?</p>
<ul style="list-style-type: none"> • Sharing of staff, knowledge, skills, expertise, best practice • Stronger voice and influence with central government and external partners • Financial savings • Collaboration on grants and other funding opportunities 	<ul style="list-style-type: none"> • Communication <ul style="list-style-type: none"> ○ Response times to councillors ○ Officer awareness of their role/responsibility to councillors ○ Officer visibility • Joint meetings for Members • Consistency – member allowances, pay, contracts, policies • Equality – Members from all 3 Councils feel that they are getting the worst deal compared to the other 2 	<ul style="list-style-type: none"> • Financial resilience – ensure savings are delivered and make the most of funding opportunities • Further alignment of policies, strategies and service areas when and where appropriate • Preparation for the future (devolution) • Waste services – fly-tipping, Environment Act, refuse collection, cleanliness • Core services – ensure capacity (staff), delivery (residents), transformation

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Joint Strategy Board Progress/Delivery Update

February 2023



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October 2022

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- Local Government Association Partnership Peer Review hosted between 10 and 14 October
- A full page in the Municipal Journal regarding the Partnership at its one year anniversary
- £175,000 secured from DLUHC for Cyber Resilience across the Partnership
- £2m secured from Arts Council England for investment in culture across the sub-region
- Investment Zones submission made to Government
- The Annual Partnership Scrutiny took place
- The Partnership provided the lead support at the Lincolnshire Ageing Better Conference
- South & East Lincolnshire Community Lottery tickets went on sale
- The second Healthy Living Board took place





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November 2022 (1 of 2)

- Development of 23/24 Annual Delivery Plan commenced
- Development of 23/24 Partnership Performance Framework commenced
- Shared our Future Leaders' Programme model with Babergh and Mid Suffolk District Councils.
- Becky Cooke, Transformation Officer, identified as one of Lincolnshire '30 under 30' for exceptional achievement
- Published Peer Review report and action plan
- Agreed to host the LGA Local Government Challenge for those officers from Councils across the country on this prestigious LGA development programme
- Implementation of shared Partnership service structure for 'Corporate', which includes Transformation, Performance, Risk, Communications and Organisational Development
- Hosted colleagues from the Department for Levelling Up, Housing and Communities to discuss the Town Deal projects and the Partnership's Levelling Up submissions
- Support to Tesla for potential locations within the Partnership area for expansion to their super charger network



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November 2022 (2 of 2)

- A consistent approach was undertaken across the sub-region for the Annual Rough Sleeper Count.
- The first lottery draw of the South & East Lincolnshire Community Lottery was undertaken, supporting 69 good causes across the sub-region.
- £10k was awarded from National Grid Distribution Funding to each Council to undertake a 'Warm Spaces' programme across the sub-region.



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December 2022

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- Partnership Scrutiny commenced on the draft Digital Strategy and ICT Roadmap
- Supported the Midlands Engine All Party Parliamentary Group on the Visitor Economy
- Presentation to the Westminster Forum national event on the role of Arts and Culture in Levelling Up
- UK Shared Prosperity Funding – three Investment Plans approved and funding will be awarded for three years commencing this financial year
- Rural England Prosperity Fund – applications were submitted for all three District Councils for funding commencement in April 2023
- A South and East Lincolnshire approach has been taken to advise residents how to reduce condensation and report issues of disrepair should escalation be needed
- Community Trigger Policy launch across the subregion





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January 2022

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- ELDC, PSPS and Boston College new Horncastle Hub opened
- Contracts now let (or very close to) for Colonnade, Mablethorpe Leisure and Learning Centre and Campus for Future Living Towns Fund Projects
- 1st 2 Changing Places facilities now installed in Ayscoughfee and Horncastle Hub. *Further 12 to follow in 2023/24*
- Partnership Enviro-Crime contract signed off.
- Nomination submitted for the MJ Awards in the Partnership category
- £42.8m secured from Levelling Up Round 2 for projects across the sub-region
- Aligned Contract Procedure Rules across the Partnership



Joint Strategy Board Progress/Delivery Update

September 2023



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February (1 of 2)

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- Launch of UKSPF prospectus and expressions of interest process to the public and partners. Linked to this, the appointment and creation of partnership-wide UKSPF delivery team
- Planning consent secured for 400 homes in Spalding, underpinned by a funding agreement to secure contributions to Section 5 of the Spalding Western Relief Road
- Approval of £280k investment in public realm in Spalding, coupled with award of £233k in funding from the National Lottery Heritage Fund for the town
- Approval of 15 new properties for Welland Homes
- Shortlisted in the Local Authority Retrofit Programme award at the Retrofit Academy awards for our work around Green Homes Grants
- Launch of trial wind turbines in South Holland and East Lindsey with Ventum Dynamics and private sector partners
- House of Lords Event to celebrate partner success and our Levelling Up ambitions
- Over 100 partners attended the Financial Inclusion Conference, hosted by the Partnership in Boston



February (2 of 2)

- Mablethorpe Town Deal – Campus for Future Living sod cutting
- In Orbit launch at the Embassy Theatre – 6 week art installation featuring Gaia (Earth) and the Museum of the Moon and Mars
- Theatres’ Trust national event – Theatres at Risk launch – included a focus on Spilsby Sessions House and East Lindsey’s Levelling Up success
- Planning consent granted for the Learning Campus in Skegness
- Boston Town Deal project – Blenkin Memorial Hall complete
- Launch of the new Discover Boston website (www.boston-england.co.uk)
- Data Protection resilience built into the Partnership via a temporary shared Data Protection Officer
- Joint elections working group in place



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March (1 of 2)

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- Conclusion of the first stage of work of the Public Transport Scrutiny Committee, and reporting of recommendations to scrutiny
- Approval of first housing investment for Boston, utilising £690k in government funded secured under the Local Authority Housing scheme to deliver 8 properties
- Public launch of ambition for delivering a 'Health Hub' in Holbeach, in conjunction with Holbeach Medical Practice and the Lincolnshire Integrated Care Board
- Took part in the 'Might Oak' national emergency planning exercise that sought to validate and improve plans in relation to how the country would respond to a national power outage
- Through a single SELCP Household Support Fund scheme, £977k has been distributed via the Partnership's Communities Team to the most vulnerable between October 2022 and March 2023
- The Lincolnshire Districts' Health and Wellbeing Strategy has now been approved by each of the Partnerships councils



March (2 of 2)

- Levelling Up Partnership for Boston announced by Government
- Mablethorpe Town Deal – Leisure and Learning sod cutting
- Mablethorpe Town Deal – Community Engagement for the Colonnade at Sutton on Sea
- National Portfolio Organisation Activity Plan approved
- County Leaflet Swap to support tourism – led and hosted by the Partnership
- Supported the Leaders Forum on the Visitor Economy (VisitEngland and Midlands Engine)
- Response to the Committee on Regenerating Seaside Towns and Communities - follow-up inquiry
- Cultural Development Fund - £5m for Skegness secured
- Establishment of the UK Shared Prosperity Team for the Partnership
- £15.4m Home Upgrade Grant secured for the Partnership sub-region
- Launched Enviro Crime Contract for the Partnership sub-region
- Temporary Strategic Safeguarding Lead in place for the Partnership
- Secured Social Housing Decarbonisation Funding for SHDC - £3.5m
- First funding decisions for UKSPF were made
- UKSPF briefings to Parish Councils across the SELCP sub-region



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April 2023

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- Planning permission secured for new Boston Leisure Centre
- Supported communities to celebrate the King's Coronation
- Spalding Flower Event Safety Exercise took place
- Partnership Councils received 4th round of Household Support Fund monies from Government
- Operation Sea Bird took place to look out for damaged coastal wildlife – Police-led
- CCTV cameras in Skegness upgraded as part of the PCC's grant funding
- Joint campaign around voter ID – single comms approach across the Partnership
- Partnership Procurement Service went live via PSPS





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May 2023

- Delivered the elections for District and Town and Parish Councils
- Delivered the induction of District Councillors
- Blue Flag Award secured for main beaches in East Lindsey
- King's Fund case study on coastal and rural health inequalities included a focus on the SELCP sub-region
- Second round of UKSPF awards made



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June 2023

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- Commencement of Lincs Coast 2100+ work and invitation to collaborate with EA and LCC
- Boston Town Centre Strategy work commenced
- Work commenced on Partnership's Sub-regional Strategy
- Partnership approach to Sustainable Warmth grant delivery described as a 'beacon of good practice' in the world of Home Upgrade Grants
- £662,154.24 through Local Energy Advice Demonstrator programme for pilot approach to helping 'hard to reach' residents access grants and support for home energy improvements initially in ELDC but widening out across the Partnership over the two-year programme
- £97,081 additional burdens funding secured by the three Councils to support delivery of mandatory Biodiversity Net Gain

July 2023

- Announced as a finalist in the LGC Workforce Awards for the Future Leaders' Programme
- Announced as a finalist in the APSE Awards for the Sustainable Warmth Grant Programme
- Procurement of partner to deliver the Integrated Health Centre work
- Completion of Adaptive and Resilient Coastal Communities (ARCC) work
- Group Manager - Building Control appointed and appointed 3 Building Control apprentices.
- Disabled Facility Grant temporary alignment – resilience and capacity building
- Housing Standards temporary alignment – resilience and capacity building
- SHDC Peer Review took place
- Bids submitted to Sport England for Swimming Pool Support Fund (BBC/SHDC)
- Legal resilience built into the Partnership via a temporary shared Legal Manager
- Boston agreed to acquire first 5 properties through the Local Authority Housing Fund
- Grants 4 Growth 2 programme launched across the Partnership
- Launched the UKSPF Community Grant Scheme
- Visit from Roger Mendonca, Midland's Engine Chief Executive to understand our growth work
- 2 changing places toilets opened in Boston and 1 in East Lindsey
- 218 private domestic properties improved across the Partnership under Home Upgrade Grant (HUG1). Average annual bill saving from various energy efficiency measures installed is £693.50 per property and a total annual carbon saving in excess of 600 tonnes of CO2. SELCP delivery was 24% of homes improved across the entire Midlands region



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August 2023

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- £5,500 received by the Partnership from Osbourne Energy to support Community Orchards
- We have brought 15 Councils together to apply to the LGA for the formation of a Special Interest Group into Internal Drainage Board levies
- 1 year anniversary event for South East Lincolnshire Climate Action Network (SELCAN)
- Geoff Moulder Leisure Centre agreed for transfer to Parkwood Leisure.
- Ayscoughfee tennis court refurbishment completed with grant funding
- Boston agreed to take part in round 2 of the Local Authority Housing Fund
- DLUHC visit to Spalding Enterprise Zone
- DLUHC and Homes England visit Spalding Western Relief Road
- A changing places toilet opened in Spalding
- Collaborative working with ELDC, EA, LCC in development of EA funding bid towards an Investment Plan for the Coast





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September 2023

- Partnership Communications Strategy approved
- Renewal of Boston PSPO for Dog Controls
- COMAH exercise in Boston to test emergency planning response
- Follow up to the SELCP Peer Review hosted in Boston
- Expression of Interest being submitted to the Football Foundation for the Home Advantage Fund, supporting clubs taking on facilities owned by local authorities.
- Launch of Spalding Business Board
- Purchase of new SHDC Depot
- A third changing places toilet opened in Boston
- 385 private domestic properties improved across the Partnership under Local Authority Delivery (LAD3).
- Levelling Up Parks funding has been invested in the Rockery Gardens in Skegness. It's seen a transformation of the layout including improvements to seating and planting.

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REPORT TO:	Cabinet
DATE:	17 January 2024
SUBJECT:	Lincolnshire Discretionary Housing Financial Assistance Policy
PURPOSE:	To recommend adoption of the Policy and enable eligible clients to be more consistently assisted across the South and East Lincolnshire Councils Partnership.
KEY DECISION:	Yes
PORTFOLIO HOLDER:	Councillor Gary Taylor Deputy Leader (Council), Portfolio Holder for Strategic Housing, Leisure Centre Delivery and Spalding Town Improvement
REPORT OF:	Emily Spicer. Assistant Director – Wellbeing and Community Leadership
REPORT AUTHOR:	Stuart Horton. Strategic Housing Manager, SELCP Adam Newman-Pring. Lincolnshire Healthy and Accessible Homes (Housing) Lead
WARD(S) AFFECTED:	All
EXEMPT REPORT?	No

SUMMARY

This Discretionary Housing Financial Assistance (DHFA) policy (the Policy) (**Appendix A**) which has been developed by all seven Lincolnshire district councils working collaboratively with Lincolnshire County Council, aims to:

- create a level of consistency across the county and maximise the contribution that DFG / BCF can make;
- enable vulnerable people to live independently in a home of their own; and
- reduce the need for more expensive health and social care service interventions.

District councils have in many cases already adopted discretionary policies under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "RRO") using Disabled Facilities Grant (DFG) / Better Care Funding (BCF) from the Government to support works above the mandatory DFG limit of £30,000. These policies also allow home repairs, improvements and other forms of assistance to be funded to assist eligible vulnerable clients where necessary and

appropriate. However, this has led to a postcode lottery for Lincolnshire residents with financial support available for different things, with different eligibility criteria in different areas.

The Policy and accompanying Explanatory Notes (**Appendix B**) have been recommended by the Lincolnshire Housing, Health and Care Delivery Group to all district councils for adoption as part of the overall vision of the Lincolnshire Homes for Independence blueprint for people to live independently, stay connected and have greater choice in where and how they live.

RECOMMENDATIONS

- 1) That Cabinet approves the Policy and Explanatory Notes attached at **Appendices A and B** to be adopted with effect from 01/04/2024
- 2) That authority is delegated to:
 - a. the relevant Assistant Director to make minor and inconsequential variations to the Policy in consultation Portfolio Holder with responsibility for Housing, if agreed on a countywide basis. This delegation will not be used to make changes to the Policy that substantively change the purpose of the Policy;
 - b. the relevant Assistant Director to:
 - i. make amendments to the local variations detailed within the Explanatory Notes in consultation with the Portfolio Holder with responsibility for Housing. This delegation will not be used to make amendments to the Explanatory Notes that impact other districts, unless agreed on a countywide basis and
 - ii. update and remove any superseded policy provisions relating to discretionary housing assistance contained within the relevant existing council policy in consultation with the Portfolio Holder with responsibility for Housing;
 - c. the Chief Executive Officer to suspend the awarding of new discretionary assistance under this policy in consultation with the relevant Assistant Director and Portfolio Holder with responsibility for Housing.
- 3) That, in addition to the minor and inconsequential variations permitted within the Policy, authority is delegated to:
 - a. the relevant Assistant Director to make initial amendments to the Policy in consultation with the Portfolio Holder with responsibility for Housing; to enable any appropriate recommendations from other Lincolnshire district councils' scrutiny of the Policy to be considered and incorporated, if agreed on a countywide basis.
- 4) That Cabinet approves the delegations to SHDC officers set out within section 3 of the Explanatory notes; and to the Assistant Director – Wellbeing and Community Leadership, Communities & Operations, and the Portfolio Holder with responsibility for housing, as set within section 6 of in the Explanatory Notes (**Appendix B**).

REASONS FOR RECOMMENDATIONS

To allow a more consistent approach across Lincolnshire to be taken in relation to discretionary housing financial assistance in order to assist vulnerable households in need to live in a safe home. This will significantly help organisations that work on a countywide basis (e.g. Health and Lincolnshire County Council occupational therapy services) to have a clearer picture of the assistance districts are able to offer.

To allow for the relevant provisions relating to discretionary housing assistance contained within the council's existing policy to be updated as superseded on adoption of the Policy, and to avoid duplicate policy provisions being in operation (**Appendix C**).

To allow for appropriate amendment of the Policy, if necessary, as Lincolnshire district councils have differing approaches to policy adoption and differing timelines.

For information, the Policy, Explanatory Notes and associated recommendations have been considered and approved for adoption without amendment by:

- ELDC on 29 November 2023
- WLDC on 5 December 2023
- BBC on 13 December 2023

OTHER OPTIONS CONSIDERED

To continue to operate three independent discretionary housing assistance policies across the South and East Lincolnshire Councils Partnership and up to seven different policies across the county, with significant variation in the assistance available and processes for awarding discretionary housing financial assistance.

1. BACKGROUND

- 1.1** District councils have previously each adopted discretionary housing assistance policies under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the "RRO"). This Order confers on local housing authorities a power to improve living conditions in their area by providing assistance for a number of purposes subject to having adopted a policy for the provision of the assistance.
- 1.2** Disabled Facilities Grant (DFG) / Better Care Fund (BCF) monies from the Government are used in line with these policies to support eligible vulnerable and or disabled clients with necessary and appropriate works to their properties to help keep them safe, warm, and well. However, this separate approach to policies by districts has resulted in significant variation in the assistance households are able to access across the county and has presented difficulties for other services working over Lincolnshire in knowing what assistance is available to help their clients.
- 1.3** These clients are often owner-occupiers that do not have the financial means to undertake the necessary works. This differs from rented properties where social and private landlords are responsible for the necessary work and where disrepair issues can be addressed by informal or formal enforcement action.

- 1.4** To address this variation in policy approach, there has been a desire for a countywide discretionary housing financial assistance policy for some time and it has been identified as an action in the Lincolnshire Housing, Health and Care Delivery Plan. It is also one of the aims of the Lincolnshire Homes for Independence blueprint for people - “We will ensure services to support people to remain living in their current home complement each other as a system-wide approach” and contributes to the overall vision of the blueprint - for people to live independently, stay connected and have greater choice in where and how they live.

2. REPORT

- 2.1.** The Policy and Explanatory Notes have been developed collaboratively by the seven district councils working with Lincolnshire County Council through the Lincolnshire Healthy and Accessible Homes Group (formerly the Lincolnshire Moving Forward with DFG Group). This group has previously successfully progressed several pieces of work, including a countywide contractor framework with an agreed schedule of rates to deliver DFGs more effectively across the county.
- 2.2.** This common policy aims to create more consistency across the county and maximise the contribution that DFG / BCF makes to enable vulnerable people to live independently and safely in their home, help keep people out of residential care or nursing homes and hospital, or enabling discharge from hospital to a suitable home.
- 2.3.** The Policy is designed to be flexible and take into account the wide range of circumstances encountered, ranging from topping up mandatory grants for extensions (due to the increasing cost of building works and materials), to facilitating a move to a more suitable home, or addressing unsafe electrics or other hazards in a vulnerable low income owner occupier’s home.
- 2.4.** The Policy, therefore, makes provision for:
- Helping an applicant to move to a suitable home (relocation)
 - Topping up mandatory DFG
 - Helping reduce delayed transfers of care (DTC), e.g. priority works needed to facilitate hospital discharge
 - Helping people stay safe, warm and well
 - Providing aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
 - Assisting with an applicant’s contribution to a mandatory grant
- 2.5.** The Policy does not amend the way in which mandatory DFG is delivered, but supplements it. It is not recommended that the council/s amend mandatory DFG policies at this time.
- 2.6.** Several eligibility criteria are set out within the policy relating to the referral of the person, the property where the works are required, and the person’s financial circumstances. People can be referred through a wide range of professionals. This allows for an application to be made for people who come into contact with services which identify a need or issue relating to the persons property. The assistance able to be provided then depends on the persons circumstances. This includes an element of financial assessment to ensure limited resources are used for those in genuine need. However, if the individual or their partner is in receipt of

certain identified benefits and meet all other eligibility criteria, they will be eligible for DHFA without further financial assessment.

- 2.7.** In addition, the Policy allows the financial assessment to be waived in certain circumstances (such as end of life care) in order to expedite work required up to a value of £8,000.
- 2.8.** The Policy also enables the allowances within the financial assessment to be adjusted to take into account inflation against the existing 2009 means tested allowances. This can equate to an uplift of almost 55% against the 2009 means tested allowances and ensures that individuals are not adversely impacted by the rising costs associated with undertaking works where a financial assessment is applied.
- 2.9.** Councils are under no obligation to award discretionary housing financial assistance, however subject to the availability of funding, assistance of up to £15,000 may be awarded. Assistance over this value may also be awarded in exceptional circumstances though an approach set out in the Explanatory Notes that accompany the Policy. This method of considering matters above or outside those set out in the policy is also used in relation to the number of grants that can be awarded to an applicant and has been built into the policy to ensure that proper consideration is given to take account of the actual circumstances of applicants.
- 2.10.** Some of the funding awarded may be recoverable where the cost of works are likely to increase the value of the property e.g. for works over the mandatory DFG grant limit of £30,000 e.g. for an extension to a property. Again, details of these circumstances are set out in the policy's explanatory notes.
- 2.11.** The Policy has been developed in two parts – the main Discretionary Housing Financial Assistance Policy and the Explanatory Notes. This is so that the main policy may be formally adopted by councils with the explanatory guidance notes being able to be amended and updated with Assistant Director and Portfolio / Lead Member approval from all district councils, to allow them to be developed and refined through learning and providing any necessary clarifications on implementation. The Explanatory Notes provide guidance to officers on what should and should not be approved as eligible for assistance so that decisions are not subjective.
- 2.12.** The Policy may not completely achieve a fully consistent approach across the Lincolnshire districts, due to the retention of some local variations set out within the Explanatory Notes. However, the Policy provides a significant step forward in providing a consistent set of purposes and more flexible approach to address a wide range of circumstances and works required to improve property conditions for low-income disabled and vulnerable people, and improve health and wellbeing outcomes. The provision for districts to detail any local variations within the Explanatory Notes enables any local factors or constraints to be reflected and amended as necessary without affecting the core purpose and provisions of the Policy.

3. CONCLUSION

- 3.1.** The proposed Lincolnshire Discretionary Housing Financial Assistance Policy and accompanying Explanatory Notes is a significant step forward in providing a more consistent approach to providing assistance to low income disabled and vulnerable owner-occupiers across the county. It will mean we can more consistently assist them with a range of issues, working with other services to help ensure residents are safe in their homes. It will help

reduce the need for other more expensive health services and assist the delivery of improved health and wellbeing outcomes.

EXPECTED BENEFITS TO THE PARTNERSHIP

A consistent Discretionary Housing Financial Assistance Policy across the partnership will greatly assist officers and teams working across the three districts rather than having different policy approaches in each area. It will also help ensure consistency for our residents.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

As mentioned, a consistent Discretionary Housing Financial Assistance Policy across the partnership will greatly assist officers and teams working across the three districts.

No major implications are currently foreseen as the provision to award discretionary assistance already exists within the following policies across the Partnership:

- South Holland District Council: Housing Assistance Policy
- East Lindsey District Council: Housing Grants Assistance Policy
- Boston Borough Council: Private Sector Housing Policy Framework

The adoption of a common policy across the Partnership will supersede these provisions. Therefore, the provisions relating to discretionary housing assistance will need to be updated within these policies on approval and adoption of the Policy to avoid duplicate policy provisions being in operation. (Details of superseded policy provisions and proposed updated policies are provided at **Appendix C**).

CORPORATE PRIORITIES

The Policy helps to support and contribute to the following corporate priorities within the Partnerships Councils:

Boston Corporate Strategy. Priority 1 – People Focused “We want Boston to be a place where people want to live, a place where they can thrive in their local communities, feel safe, secure, healthy and welcome”

East Lindsey Corporate Strategy. Strategic Aims - Help enable a supply of homes that meet needs and aspirations, Maximise healthy and active lives, Improve equality of opportunity across the district and in target areas.

South Holland Corporate Plan. Priorities – Your Home, Your Health and Wellbeing.

STAFFING

None

WORKFORCE CAPACITY IMPLICATIONS

The Accessible Homes Team structure across the South East Lincs Council's Partnership has recently been approved and will provide additional capacity to progress both mandatory Disabled Facilities Grants and Discretionary Grants / Financial Assistance.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

It should be noted that nothing in a discretionary housing financial assistance policy under the RRO would remove an individual's right under the legislation to apply for a statutory DFG under section 23 of The Housing Grants, Construction and Regeneration Act 1996.

DATA PROTECTION

None

FINANCIAL

The council/s receives funding via Lincolnshire County Council from the Government to fund Disabled Facilities Grants as part of the Better Care Fund , which aims to draw together health, social care and housing, in order to help people live well and independently in their own homes for as long as possible. As such, this funding is used to provide discretionary housing financial assistance where availability allows. At present there is an underspend of the funding allowing discretionary assistance to be resourced, although this needs to be monitored alongside demand for mandatory Disabled Facilities Grants. The government has recently announced that it will continue to fund DFGs at the current level until 2025.

RISK MANAGEMENT

None

STAKEHOLDER / CONSULTATION / TIMESCALES

The draft Discretionary Housing Financial Assistance Policy has been developed with input from Lincolnshire County Council Occupational Therapists and other partners and organisations e.g. Foundations (the National Body for Disabled Facilities Grants and Home Improvement Agencies) through the Lincolnshire Healthy and Accessible Homes Group. The policy has also been presented to the Lincolnshire Housing and Health Network senior officers' group and the Lincolnshire Housing, Health and Care Delivery Group, where it was recommended that it progress through district councils' adoption processes. The relevant Portfolio Holder has also been consulted on the policy, however no formal public consultation has been carried out.

REPUTATION

None other than the normal service delivery reputational risks

CONTRACTS

None

CRIME AND DISORDER

None

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None. The Policy is in accordance with the public sector equality duty as it helps advances equality of opportunity in relation to age and disability.

HEALTH AND WELL BEING

The Policy is focused on improving health and wellbeing outcomes

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the follow Missions outlined in the Government's Levelling Up White paper.	
Health	By 2030, the gap in Healthy Life Expectancy (HLE) between local areas where it is highest and lowest will have narrowed, and by 2035 HLE will rise by 5 years.
Wellbeing	By 2030, well-being will have improved in every area of the UK, with the gap between top performing and other areas closing.
Housing	By 2030, renters will have a secure path to ownership with the number of first-time buyers increasing in all areas; and the government's ambition is for the number of non-decent rented homes to have fallen by 50%, with the biggest improvements in the lowest performing areas.

ACRONYMS

RRO - Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

DHFA – Discretionary Housing Financial Assistance

DFG – Disabled Facilities Grant

BCF – Better Care Fund

DTOC - delayed transfers of care

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
<i>APPENDIX A</i>	Lincolnshire Discretionary Housing Financial Assistance Policy
<i>APPENDIX B</i>	DHFA Policy Explanatory Notes
<i>APPENDIX C</i>	SELCP – DHFA – Superseded Policy Provisions

<ul style="list-style-type: none"> • APPENDIX C.1 • APPENDIX C.2 	<ul style="list-style-type: none"> • REVSIED – ELDC Housing Grants Assistance Policy • REVISED – Boston BC Private Sector Housing Policy Framework • REVISED – SHDC Appendix 1 for Housing Assistance Policy • REVISED – Appendix 2 for Housing Assistance Policy
<ul style="list-style-type: none"> • APPENDIX C.3 • APPENDIX C.3.1 	

BACKGROUND PAPERS	
Background papers used in the production of this report are listed below: -	
Document title	Where the document can be viewed
The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002	https://www.legislation.gov.uk/uksi/2002/1860/made
Boston Borough Council: Private Sector Housing Policy Framework – Version 1.2 – 8 December 2022	Private Sector Housing Policy Framework (boston.gov.uk)
South Holland District Council: Housing Assistance Policy. Revision date 17.03.2020	Housing Assistance Policy.pdf (sholland.gov.uk)
East Lindsey District Council: Housing Assistance Grants. Approved Policy Document	Housing Assistants Grants (e-lindsey.gov.uk)

CHRONOLOGICAL HISTORY OF THIS REPORT	
Name of body	Date
Policy Development Panel	11 October 2023

REPORT APPROVAL	
Report author:	Stuart Horton stuart.horton@boston.gov.uk Adam Newman-Pring adam.newman-pring@boston.gov.uk
Signed off by:	Emily Spicer, Assistant Director – Wellbeing and Community Leadership emily.spicer@sholland.gov.uk

Approved for publication:	Councillor Gary Taylor Deputy Leader (Council), Portfolio Holder for Strategic Housing, Leisure Centre Delivery and Spalding Town Improvement
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Lincolnshire Discretionary Housing Financial Assistance Policy

Policy overview

Discretionary Housing Financial Assistance (DHFA) may be awarded to assist people to live independently in their homes and communities where a person's needs cannot be met through a mandatory grant, as the assistance required is not within its scope or where extenuating circumstances necessitate.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 allows Local Housing Authorities to directly or indirectly provide assistance, provided a policy is adopted and published setting out how it intends to use this general power to give assistance.

Title	Lincolnshire Discretionary Housing Financial Assistance Policy
Version	Draft v.7.4
Owner	<<Insert DC Owner>>
Attachments	1. Lincolnshire Discretionary Housing Financial Assistance Policy Explanatory Notes
Approved by	TBC - Draft
Review date	TBC - Draft

Lincolnshire Discretionary Housing Financial Assistance Policy

1. Introduction

- 1.1. This policy takes into account relevant legislation relating to administering grants to improve housing standards. It also considers the duties imposed on the public sector relating to equalities, ensuring that each case is considered on individual circumstances and needs.
- 1.2. The policy has been developed to ensure that the council is working towards the health and wellbeing priorities identified within its own corporate plans and strategies as well as those supported across Lincolnshire. These include the Joint Health and Wellbeing Strategy and the Lincolnshire Homes for Independence Blueprint, with actions being delivered through the Housing, Health and Care Delivery Group and its subgroups.
- 1.3. The Joint Strategic Needs Assessment (JSNA) for Lincolnshire, which assesses the current and future health, care and wellbeing needs of the local community to inform local decision making, has two topics that are particularly relevant for this policy – ‘Unsuitable Homes’ and ‘Poor Condition Housing’.
- 1.4. Amongst other information, these identify:
 - Lincolnshire has a population that is ageing above the national average and areas that are in the top 10% of the most deprived in the country.
 - Across Lincolnshire, the total population aged 65 and over with a limiting long-term illness whose day-to-day activities are limited is projected to increase from an estimated 87,539 in 2019 to an estimated 120,655 in 2035.
 - 18% of private sector stock in the county is estimated to have a serious (Category 1) hazard under the Housing Health and Safety Rating System (HHSRS).
 - 17% of the private sector stock in the county is estimated to be occupied by low-income households.

2. Policy objective

- 2.1. To assist people who are unable to help themselves to live independently in their homes and communities for as long as possible.
- 2.2. Where a person’s needs cannot be met through a mandatory Disabled Facilities Grant (DFG), as the assistance required is not within its scope or where extenuating circumstances necessitate, Discretionary Housing Financial Assistance (DHFA) may be awarded. The assistance will be subject to eligibility and provided for a range of purposes that support the national Better Care Agenda and reduces hospital admissions.
- 2.3. The range of purposes includes, but is not limited to:
 - helping an applicant to move to a suitable home (relocation)
 - topping up mandatory Disabled Facilities Grants
 - helping reduce delayed transfers of care (DTOC), e.g. priority works needed to facilitate hospital discharge

- helping people stay safe, warm and well
 - provide aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
 - Assisting with an applicant's contribution to a mandatory grant
- 2.4. For the purpose of improving living conditions in their area, in accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, the Local Housing Authority may also directly or indirectly provide assistance in any form to acquire, adapt, repair, improve, demolish or construct housing accommodation subject to the appropriate approvals.

3. Council awards and allocations

- 3.1. Councils are under no obligation to award Discretionary Housing Financial Assistance, however, subject to the availability of funding Local Housing Authorities may award assistance on a case by case basis with authorised officers able to approve up to £15,000.
- 3.2. Assistance over this value may be awarded in accordance with the Councils agreed panel approach or in line with their appropriate scheme of delegation as set out in the attached 'Discretionary Housing Financial Assistance Policy - Explanatory Notes (**Explanatory Notes**)'. The availability of other potential funding streams will be taken into account as part of this process.
- 3.3. The capital resources available for discretionary housing financial assistance will vary depending on the amount of funding allocated to the district councils from the Better Care Fund - a pooled budget between Lincolnshire County Council and the NHS Lincolnshire Integrated Care Board, received from the Department of Health and Social Care, and the Department for Levelling Up, Housing and Communities.
- 3.4. The amount passed to each district council by Lincolnshire County Council varies and is set by national government using a prescribed allocation methodology. Each district council will then internally budget for anticipated mandatory DFGs before considering discretionary housing assistance.

4. Eligibility

- 4.1. **Person** - To be eligible for assistance an application must be supported in writing by one of the following:
- Occupational Therapist or Community Care Officer
 - GP or medical professional e.g. Practice Nurse
 - Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
 - Professional from another appropriate organisation (see Explanatory Notes)
- 4.1.1. The referral must set out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required.

- 4.2. **Property** - To qualify for assistance the following must apply in relation to the property (except for assistance towards relocation costs, when not all will be applicable):
- The property must be, or is going to be, the primary or sole residence of the eligible person and, depending on the nature of the works, they must intend to reside in it for as long as reasonably practicable. The exception to this is where a parent has legally agreed periods of custody over a disabled child.
 - The owner of the property must give their consent for the required works. Assistance for works to rented properties will only be undertaken where the responsibility for the work does not rest with the landlord e.g. DTOC
 - The property must be reasonably and practicably capable of being adapted or improved to meet the needs of the person, having regard to the age and condition of the dwelling.
 - The property must be located within the council area where the application is being made.

- 4.3. **Financial** - To be eligible for Discretionary Housing Financial Assistance, the following criteria will be applied:

If you or your partner are in receipt of any of the following benefits, subject to meeting the other eligibility criteria, you are eligible for DHFA without further financial assessment:

- Universal Credit
- Income Support
- Income- Related Employment and support allowance (not contribution based)
- Income related Job seekers allowance (not contribution based)
- Guarantee Pension Credit
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credit assessment is below £15,050)
- Housing Benefit

- 4.3.1. If you are not in receipt of any of the above benefits, and depending on any local Council variations to this policy (see Explanatory Notes) a financial assessment (based on the mandatory DFG means test) will determine if you are eligible for DHFA, or if you need to make a financial contribution towards the cost of the required works. For the avoidance of doubt, this includes applications relating to disabled facilities for children.
- 4.3.2. The allowances within the financial assessment may be adjusted to take into account inflation depending on the applicant's circumstances i.e. amount of savings and or income, at the discretion of the council.
- 4.3.3. In exceptional circumstances (such as cases of end of life care), subject to the provision of appropriate supporting evidence (see Explanatory notes), the Local Authority may waive the financial assessment in order to expedite works up to the value of £8,000.

5. Financial assessment

- 5.1. The income and savings of couples, whether married or not will be included in the financial assessment, along with that of all other adults residing in the property (if

applicable). However, if there is clear evidence that other household members such as adult children or the applicant's parents, are already contributing appropriately to the household finances e.g. paying board and lodgings, this may be taken into account as income. Each case will be considered on its circumstances.

- 5.2. Any equity in the property you own and live in will be discounted along with a standard £6,000 in savings. Second homes will be included as capital or income depending on the circumstances. Households with an individual or combined income over £30,000 will not qualify for Discretionary Housing Financial Assistance unless evidence of exceptional circumstances is provided sufficient to satisfy a council's panel decision or applicable scheme of delegation. Households assessed as being able to make a contribution may, depending on the specific circumstances, be assisted by any appropriate means in accordance with the Regulatory Reform (Housing Assistance) Order 2002 e.g. payment scheme or discretionary interest free loan, in order to meet that contribution.

6. Local Land Charges

- 6.1. Where the council provides Discretionary Housing Financial Assistance of more than £1000 and the works are considered likely to increase the value of the property (see Explanatory Notes), a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. However, where the DHFA is linked to the top up of a mandatory DFG, the **full value** of the DHFA (excluding any amount awarded under the mandatory DFG) will be registered and recoverable as a Local Land Charge.

7. Warranties

- 7.1. The council is not responsible for any ongoing maintenance or repair relating to grant funded works, although there is normally an initial defects liability period, which is the responsibility of the contractor who undertook the works. Unless it has been agreed that it is included in the grant, it is the applicants responsibility to ensure that any extended / manufacturers warranties are applied for.

8. Other important information

- 8.1. Only one discretionary grant can be applied for in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach. Further details can be found within the attached Explanatory Notes.
- 8.2. While there are no statutory or regulatory timescales that apply, professional recommendations relating to urgency will be considered alongside the specific circumstances of the case and the council will use its best endeavours to make decisions on discretionary assistance as quickly as possible when provided with all the necessary information. Discretionary assistance works by their nature can be complex and time consuming, however we will strive to ensure that works are undertaken and completed as soon as practicable.

- 8.3. Works undertaken with Discretionary Housing Financial Assistance may affect any application for housing to the relevant councils Housing Register.
- 8.4. If applicants are dissatisfied with the service they receive or do not believe all relevant information has been taken into account, and are unable to resolve directly with the departmental service, they may use the complaints process for the council they are applying to for assistance.

9. General Conditions of Assistance

- 9.1. The term assistance means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement and adaptation. This may include a grant, an improvement scheme in which people are invited to participate, a loan of other form of financial assistance, whether provided directly or indirectly. Condition means any condition(s) attached to the assistance
- 9.2. Where stated, any financial assistance and any related conditions will be secured as a legal charge against the property (in the case of disabled facilities grants this would not apply to the tenant of a registered housing provider).
- 9.3. Any charge will not be removed until either all the conditions expire or until the assistance is repaid, together with any interest or additional charges apply. A breach of any conditions could also see the Council using existing powers and remedies to enforce the charge and secure payment of any amount due.
- 9.4. A charge against the property is binding on any person who is for the time being an owner of the premises concerned. Where any condition(s) is in force the Council may require the person responsible to provide any information to satisfy the Council that the condition(s) is being complied with. Failure to comply with a request for information within a reasonable time period and in the form required by the Council will be deemed a breach in itself and thus any assistance must be repaid to the Council. It is the responsibility of the person responsible to prove the condition is being complied with to the Council's satisfaction. Failure to do so will be treated as a failure to comply with the condition. The Council does not therefore have the burden of having to prove that any condition is not being complied with.
- 9.5. No applications for financial assistance will be considered where the relevant work has been started or completed. The approval of assistance does not imply or give the Council's approval of any other consents that might be required. e.g. planning permission or building regulations. It is the responsibility of the applicant to obtain any consents that are required.
- 9.6. Conditions will generally be enforced in all cases. Any money repaid or recovered will be recycled into the Council's capital programme for private sector housing renewal.

10. Delegations

- 10.1. As with any policy, over time parts of this document may become outdated as a result of amendments to legislation, financial constraint and the influence of other strategic policy documents produced by the Council, Government or other national authorities. Thus it is essential that it is kept under regular review and updated when necessary and appropriate, therefore:

- i. Relevant Senior Managers have delegated authority to make minor and inconsequential changes to the policy in consultation with the Members/Committee with responsibility for Housing if agreed on a countywide basis. Variations will not make changes to the policy that substantively change the purpose of the policy.
- ii. Relevant Senior Managers have delegated authority to make amendments to the Explanatory Notes in consultation with the relevant Member/Committee with responsibility for Housing. This delegation will not be used to make amendments to the Explanatory Notes that impact other districts, unless agreed on a countywide basis.
- iii. Chief Executive Officers have delegated authority to suspend the awarding of any discretionary assistance under this policy in consultation with the relevant Senior Housing Manager and Member/Committee with responsibility for Housing.

How to access the Assistance

Please contact the relevant Local Authority as set out below for further information or an application form.

Authority	Contact (for referrals other than through Mosaic)
Boston Borough Council	DFG@boston.gov.uk Tel: 01205 314563 for enquiries
City of Lincoln Council	housing.privatesector@lincoln.gov.uk
East Lindsey District Council	Grants.Admin@e-lindsey.gov.uk
South Holland District Council	privatehousing@sholland.gov.uk
North Kesteven District Council	housingrenewal@n-kesteven.gov.uk
South Kesteven District Council	dfg@southkesteven.gov.uk Tel: 01476 406080 for enquiries
West Lindsey District Council	dfg@west-lindsey.gov.uk Tel: 01427 676676 for enquiries

Further advice in relation to housing assistance, including financial advice can be found from:

- The council's website
- Citizens Advice
- Shelter
- Gov.uk

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Lincolnshire Discretionary Housing Financial Assistance Policy - Explanatory Notes

These notes sit alongside the Lincolnshire Discretionary Housing Financial Assistance Policy and provide additional information where considered appropriate, to support all parties to fairly and consistently apply the policy so that it may effectively meet its objectives.

These notes are by no means comprehensive as the intention of the policy is to allow each case to be considered on its own merits depending on the specific circumstances so that assistance may be provided when reasonable and appropriate.

1. Range of purposes

Further information is contained within the table below on the range of purposes Discretionary Housing Financial Assistance (DHFA) may, subject to eligibility, be used for. However any justifiable, appropriate and reasonable case will be considered.

Applications must be supported in writing by an appropriate professional (see who can support an application / make a referral) setting out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required

Purpose	Eligible costs	Who can refer?
Relocation Grant – It may be considered appropriate to assist an eligible DFG applicant to move to a suitable home where: <ul style="list-style-type: none"> • their current home is not suitable for adaptation, or • their landlord refuses to allow the property to be adapted, or • an owner occupier is in financial difficulty and needs to move to a suitable affordable home. 	Reasonable legal, estate agents fees and removal costs.	<ul style="list-style-type: none"> • Local Housing Authority • Occupational Therapist or Community Care Officer
Topping up a mandatory Disabled Facilities Grant	Eligible costs above the mandatory DFG maximum.	<ul style="list-style-type: none"> • Local Housing Authority

Helping reduce delayed transfers of care (DTOC)	The cost of reasonable necessary and appropriate works to the patient's home in order to facilitate their safe discharge from hospital.	<ul style="list-style-type: none"> • Occupational Therapist or Community Care Officer • GP or medical professional • Hospital Housing Link Worker
Helping people stay safe, warm and well	The cost of remedial works to address a Housing Health and Safety Rating System Hazard or other potential risk e.g. hoarding clearance, following assessment by a qualified Local Authority Officer or other appropriate information and evidence	<ul style="list-style-type: none"> • Local Authority Officer • Occupational Therapist or Community Care Officer • GP or medical professional • Professional from another appropriate organisation.
Providing aids and adaptations to support those with conditions such as dementia, learning difficulties, neurodiversity and sensory impairments to live safely in their homes	The cost of appropriate aids and adaptations in line with national guidance. This may include assistive technology where absolutely necessary and appropriate and no other funding source should be providing.	<ul style="list-style-type: none"> • Occupational Therapist or Community Care Officer • GP or medical professional • Hospital Housing Link Worker • Local Authority Officer • Professional from another appropriate organisation
Assisting with an applicant's contribution to a mandatory grant	Reasonable assistance to meet calculated contribution amount in some circumstances	<ul style="list-style-type: none"> • Local Housing Authority

2. Professions and organisations who can support an application for DHFA

- Occupational Therapist or Community Care Officer
- GP or other medical professional e.g. Practice Nurse
- Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
- Professional from another appropriate organisations including but not limited to: Lincolnshire Police, Lincolnshire Fire and Rescue, voluntary sector or third sector organisation e.g. Citizens Advice, Age UK.....

Applications must be supported in writing setting out the type and details of housing assistance they believe the person requires and the reasons they consider the financial assistance is required. Contact details of the supporting / referring professional must be provided.

3. Panel approach, decision and delegation

Approval of Discretionary Housing Financial Assistance over £15,000 will be made through a panel approach or in accordance with the Councils Scheme of Delegation, details of the approach for each council are:

Authority	Decision and delegation
Boston Borough Council	<p>Approval up to £15,000 may be given by:</p> <ul style="list-style-type: none"> • Team Leader • Service Manager <p>Approval over £15,000 may be given by:</p> <ul style="list-style-type: none"> • the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder
City of Lincoln Council	<p>Panel to be made up of:</p> <ul style="list-style-type: none"> • Private Sector housing Team Leader • Case officer • Referring body
East Lindsey District Council	<p>Approval up to £15,000 may be given by:</p> <ul style="list-style-type: none"> • Team Leader • Service Manager <p>Approval over £15,000 may be given by:</p> <ul style="list-style-type: none"> • the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder
North Kesteven District Council	<p>Decisions on applications will be made in accordance with the Council's Constitution and Scheme of Delegation</p>
South Holland District Council	<p>Approval up to £15,000 may be given by:</p> <ul style="list-style-type: none"> • Team Leader • Service Manager <p>Approval over £15,000 may be given by:</p> <ul style="list-style-type: none"> • the relevant Assistant Director, Deputy Chief Executive or Chief Executive in consultation with the relevant portfolio holder
South Kesteven District Council	<p>Decisions on applications will be made in accordance with the Council's Financial Regulations as follows:</p> <ul style="list-style-type: none"> • Up to £15,000 - Team Leader • Up to £30,000 - Head of Service • Above £30,000 - Assistant Director
West Lindsey District Council	<p>Panel to be made up of:</p> <ul style="list-style-type: none"> • Homes, Health and Wellbeing Team Manager Senior Homes, health and Wellbeing Officer • Senior Homelessness Prevention officer • Referring body

Only one discretionary housing financial assistance can be applied for once in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach.

These circumstances may include significant deterioration of the applicants/clients condition or a substantial and unforeseen deterioration in the properties condition e.g. due to a leak.

4. Local variations to the Financial Assessment set out within the policy (if any)

Authority	Detail of local variation
Boston Borough Council	None
City of Lincoln Council	All applicants for a discretionary grant up to the value of £15,000 will not be required to undertake a financial assessment of means. However, when 75% of the Council's Better Care Fund available budget has been committed discretionary grants will not be available until the next years funding has been received. In these instances, the Council does not undertake to maintain a waiting list.
East Lindsey District Council	None
North Kesteven District Council	No applicant is expected to pay the first £1,800.00 of an assessed contribution
South Holland District Council	None
South Kesteven District Council	A discretionary grant for a stair lift and/or modular access ramp is available to any disabled resident who meets the criteria for a Mandatory Disabled Facilities Grant. The maximum funding available is £7,000 per item. This grant is not subject to a financial assessment or re-payment condition, but the application must be supported by a recommendation for the adaptation from a Lincolnshire County Council Occupational Therapist.
West Lindsey District Council	None

4.1. Waiver of financial assessment

In exceptional circuses (such as end of care), the following supporting evidence should be provided to support the waiver of the financial assessment in order to expedite works up to the value of £8,000:

- Letter from the GP, Consultant or other appropriate medical professional involved in the person's care.

5. Works considered likely to increase the value of a property

Where works are considered likely to increase the value of a property, a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. The following works are considered likely to increase the value of a property:

- Renewal or significant repair or replacement of extensive element/s of a property e.g. roof, electrics, heating system
- Works that would increase the habitable floor space of a property or significantly improve the facilities available e.g. DFG extension, conversion of a part of an existing property.

Where Discretionary Housing Financial Assistance is linked to the top up of a mandatory Disabled Facility Grant, the **full value** of the DHFA will be registered and recoverable as a Local Land Charge.

6. Delegations to amend the Policy and Explanatory Notes

As per the delegations set out in section 10 of the Lincolnshire Discretionary Housing Financial Assistance Policy, the Relevant Senior Manager and Members/ Committees with responsibility for Housing are provided below.

Authority	Delegated authority
Boston Borough Council	<ul style="list-style-type: none"> • Assistant Director – Wellbeing and Community Leadership, Communities & Operations • Portfolio Holder with responsibility for housing
City of Lincoln Council	TBC through local scrutiny and approval processes
East Lindsey District Council	<ul style="list-style-type: none"> • Assistant Director – Wellbeing and Community Leadership, Communities & Operations • Portfolio Holder with responsibility for housing
North Kesteven District Council	TBC through local scrutiny and approval processes
South Holland District Council	<ul style="list-style-type: none"> • Assistant Director – Wellbeing and Community Leadership, Communities & Operations • Portfolio Holder with responsibility for housing
South Kesteven District Council	TBC through local scrutiny and approval processes
West Lindsey District Council	TBC through local scrutiny and approval processes

Title	Lincolnshire Discretionary Housing Financial Assistance Policy – Explanatory Notes
Version	Draft v.1.5
Owner	<<Insert DC Owner>>

Attachments	Lincolnshire Discretionary Housing Financial Assistance Policy
Approved by	TBC - Draft
Review date	TBC - Draft

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South and East Lincolnshire Council's Partnership - Discretionary Housing Assistance Grant - Superseded policy provisions

Policy	Version	Superseded policy provision(s)	Page(s)	Variation
Boston Borough Council. Private Sector Housing Policy	Version 1.2 – 8 December 2022	Section 10: Discretionary DFG	33 to 34.	Remove: Heading and provisions under 'Discretionary DFG'. Insert: a) Heading: "Discretionary Housing Assistance" b) Provision: "Please refer to the Lincolnshire Discretionary Housing Financial Assistance Grant for further details." Retain: Section 10 final sentence (page 34) "Further information on disabled facilities grants can be found..."
		Section 11: Small Works Loan Schemes for Vulnerable Households	35 to 36	Retain: Section Heading and paragraph 1 Insert: "Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details" Remove: All other section content.
		Appendix C: Table of Financial Assistance Conditions	61	Remove: Table row for Assistance Type: 'Discretionary Disabled Facilities Grant' Remove: Table row for Assistance Type: 'Small Works Loan Scheme'
South Holland District Council. Housing Assistance Policy – Individual Scheme Details	Revision date 17.03.2020	Section 2: "Top Up of Mandatory Disabled Facilities Grant"	3 to 4	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 3: "Discretionary Disabled Adaptations Assistance"	4 to 5	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 4: "Moving on Assistance"	5 to 6	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 5: "Hospital Discharge Assistance"	6 to 7	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 6: "Safe, Warm and Well"	7 to 9	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 7: "Central Heating Scheme"	9 to 11	Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Section 8: "Emergency Housing Grant Scheme (Extreme Weather)"	11 to 12	Remove: individual scheme (provisions covered under 'Safe, Warm and Well under new Discretionary Housing Financial Assistance Policy)
		Section 9: "Home and Family Support Grant"	12 to 13	Re-number section 9 to "8" Retain: Individual section heading and purpose Insert: "Please refer to the Lincolnshire Discretionary Financial Housing Assistance Policy for further details" after 'Purpose' content. Remove: All remaining Individual Scheme Details
		Sections 10, 11, 12 and 13	13 to 17	Re-number sections to "9, 10, 11 and 12"
Appendix 2 - INDIVIDUAL SCHEME DETAILS TABLE	1 and 2	Remove: Table detail for Type of Assistances' below and replace with "Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy" > 'DFG top-up' > 'Disabled Adaptation Assistance (Fast-track adaptations)' > 'Moving on Assistance' > 'Hospital Discharge Assistance' > 'Safe, Warm and Well' > 'Central Heating Scheme' > 'Home and Family Support Grant' Remove: Table row for "Emergency Housing Grant Scheme (Extreme Weather)" Remove: "DFG" from Service Area/Activity in "Sanctuary Schemes" table row.		
East Lindsey District Council. Housing Grant Assistance	Approved Policy Document	Provision of mandatory disabled facilities grant	2	Remove: wording from Paragraph 1 "and, where relevant, discretionary assistance offered under Article 3 of the Order"
		MANDATORY DISABLED FACILITIES GRANT Description	3	Remove: wording from Paragraph 1 "and, where relevant, discretionary assistance offered under Article 3 of the Order"
		MANDATORY DISABLED FACILITIES GRANT Amount of Assistance	4	Remove: wording from Paragraph 1 "Where the Council determines that a discretionary DFG is appropriate, after having taken into account the needs of the disabled person following consultation with Social Services, it will determine the type of and the amount of assistance depending on the circumstances of each case." Insert: wording in place of removed wording from Paragraph 1 "Please refer to the 'Lincolnshire Discretionary Housing Financial Assistance Policy' and Explanatory Notes'."
		ARRANGEMENTS WHERE APPLICATIONS FALL OUTSIDE POLICY	10	Retain heading: 'Arrangements where applications fall outside policy' Remove: Provision under heading Insert: Provision under heading: "Where applications for assistance fall outside of this policy, they will be considered under the 'Lincolnshire Discretionary Housing Financial Assistance Policy'."

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HOUSING GRANTS ASSISTANCE

APPROVED POLICY DOCUMENT

Housing Grants Team
Community Safety and Wellbeing
East Lindsey District Council
Tedder Hall
Manby Park
Louth
Lincolnshire LN11 8UP

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INTRODUCTION

Poor quality housing can have an adverse impact on the health and well being of the occupants in an area. The Government's view is that the primary responsibility to maintain a property must lie with the owner. However, the Government is committed to improving housing quality across all tenures including the owner-occupied sector and fully accepts that some homeowners, particularly the elderly and most vulnerable, do not have the necessary resources to keep their homes in good repair. The Council therefore has an important role to provide assistance in these cases. Assistance may be through the provision of grants, loans or a combination of both as well as through partnerships with other agencies.

The Government accepts that loans will not be suitable for all those in need of assistance and the Order is not intended to bring about the wholesale replacement of grants with loans. The Government would also consider that an authority was failing in its duty as a housing enabler and in its responsibility to consider the condition of the local private sector stock if it did not make some provision for assistance. Housing Renewal Guidance states, "**A blanket 'no assistance policy', whether for grants, loans or both, would therefore be unacceptable.**" This policy replaces the previous Housing Renewal Policy adopted by the Council.

Equality of opportunity for all

Having due regard to the limited resources available, the Council recognises that assistance cannot be made available to all residents. In formulating this Policy Document, consideration has necessarily been given to those residents in need of assistance the most by determining their financial circumstances and by only offering assistance where the criteria has been met.

Provision of mandatory disabled facilities grant

The provisions governing mandatory Disabled Facilities Grants (DFG) are covered in the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ~~and, where relevant, discretionary assistance offered under Article 3 of the Order.~~

Detailed advice on delivering DFGs and the role and responsibilities of the housing authority and social services is set out in the DTLR/Department of Health good practice guide "Responding to the need for adaptations" (published in 2003). The Order made two changes to disabled facilities grants, from 18 July 2003:

- (a). It extends mandatory DFG eligibility to those occupying park homes and houseboats; and
- (b). It removes the power to give discretionary DFG from the provisions of the Housing Grants, Construction and Regeneration Act 1996

All owner-occupiers and tenants, licensees or occupiers who are able to satisfy the criteria in sections 19 to 22 of the 1996 Act are eligible for DFG. Landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the

requirements in those sections. Housing Association tenants are eligible to apply for DFG and are assessed for needs on the same basis as private owners and tenants and under the same means testing arrangements.

CAPITAL RESOURCES

The demand for disabled facilities grant remains high and any reduction in financial assistance by the government will seriously jeopardise the service that can be offered to this particularly vulnerable group of residents. Where demand exceeds the funding available, the Council will operate a waiting list for the provision of financial assistance.

Where it is likely that the full amount of the Disabled Facilities Grant allocation will not be committed on grants approved in any one financial year, the remaining funds may be utilised for the provision of Disabled Facilities Grant for other dwellings regardless of tenure.

The Council will utilise alternative sources of funding where available. This may include funding from sources such as Power Utilities under the energy efficiency commitment scheme, single regeneration budget for a handy person scheme etc.

MANDATORY DISABLED FACILITIES GRANT

Description

Mandatory Disabled Facilities Grant is available in cases specified under the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ~~and, where relevant, discretionary assistance offered under Article 3 of the Order.~~

The purposes for which mandatory Disabled Facilities grants may be given are set out in section 23(1) of the 1996 Act and fall into a number of categories:

Facilitating Access and Provision

These include works to remove or help overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling and enjoying the use of the dwelling and the facilities or amenities within it. In particular:

- (a). facilitating access to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated;
- (b). facilitating access to a room used or usable as the principal family room;
- (c). facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant;
- (d). facilitating access to a room in which there is a lavatory, a bath or shower (or both) and a wash basin or providing a room in which there is such a facility or facilities;

- (e). facilitating access for the preparation and cooking of food.

In considering applications for grant towards such works, the presumption will normally be that the occupant should have reasonable access into his home, to the main habitable rooms within the home – namely the living room and bedroom, and to a bathroom or shower room in which there are suitable facilities for washing and/or showering.

Making a dwelling or building safe

Section 23(1)(b) allows grant to be given for certain adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with him. This may be the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural problems which causes him to act in a boisterous or violent manner damaging the house, himself and perhaps other people. Where such need has been identified, DFG is available to carry out appropriate adaptations to eliminate or minimise that risk.

For those with hearing difficulties, an enhanced alarm system, which may be required in the dwelling to provide improved safety for the disabled occupant in connection with the use of cooking facilities or works to provide means of escape from fire could also qualify for mandatory grant under subsection (1)(b).

These measures might include the provision of specialised lighting (or measures such as special blinds to reduce lighting where the disabled person has sensitivity to light), toughened or shatterproof glass in certain parts of the dwelling to which the disabled person has normal access or the installation of guards around certain facilities such as fires or radiators to prevent the disabled person harming himself. Sometimes reinforcement of floors, walls or ceilings may be needed, as may be cladding of exposed surfaces and corners to prevent self-injury.

Room usable for sleeping

While in some cases a living room may be large enough to enable a second room for sleeping to be created, in smaller homes this will not be possible. The provision of a room usable for sleeping under section 23(1)(d) will normally only be undertaken if the Council is satisfied that the adaptation of an existing room in the dwelling (upstairs or downstairs) or the access to that room is unsuitable in the particular circumstances. Where the disabled occupant shares a bedroom with another person, mandatory grant may be given to provide a room of sufficient size so that the normal sleeping arrangements can be maintained.

Bathroom

The provisions in section 23(1) relating to the provision of a lavatory and washing, bathing and showering facilities enable a disabled person to apply for DFG to have access to a wash hand basin, a WC and a shower or bath (or if more appropriate, both a shower and a bath).

Facilitating preparation and cooking of food

The provision in section 23(1)(h) covers a wide range of works to enable a disabled person to cater independently. Eligible works include the rearrangement or enlargement of a kitchen to ease manoeuvrability of a wheelchair and specially modified or designed storage units, gas, electricity and plumbing installations to enable the disabled person to use these facilities independently.

Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate that certain adaptations be carried out to enable the disabled person to perform certain functions in the kitchen, such as preparing light meals or hot drinks.

Heating, lighting and power

Section 23(1)(i) provides for the improvement of an existing heating system in the dwelling to meet the disabled occupant's needs. Where there is no heating system or where the existing heating arrangements are unsuitable to meet his needs, a heating system may be provided. A DFG would not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating to the dwelling would only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected.

Section 23(1)(j) provides for works to enable a disabled person to have full use of heating, lighting and power controls in the dwelling. Such work includes the relocation of power points to make them more accessible, the provision of suitably adapted controls where a disabled person has difficulty in using normal types of controls and the installation of additional controls.

Eligibility

All owner-occupiers and tenants, licensees or occupiers who are able to satisfy the criteria in sections 19 to 22 of the 1996 Act are eligible for DFG. Landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the requirements in those sections. Housing Association tenants are eligible to apply for a DFG and are assessed for needs on the same basis as private owners and tenants and under the same means testing arrangements.

Amounts of Assistance

The Disabled Facilities Grants and Home Repair Assistance (Maximum Amounts) (amendment No. 2) Order 2001 (SI 2001 No 4036) places a limit of £30,000 on the amount of mandatory DFG which may be given. The Order places no limit on the amount of discretionary assistance that can be given for adaptations in addition to as instead of a mandatory DFG. ~~Where the Council determines that a discretionary DFG is appropriate, after having taken into account the needs of the disabled person following consultation with Social Services, it will determine the type of and the amount of assistance depending on the circumstances of each case.~~ Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy and Explanatory Notes

Waiting times for invitation of application

Due to the limited resources available to the Council for award of financial assistance, applicants may be placed on a waiting list prior to being invited to make a formal application. Where this occurs the applicant will be advised that they have been placed on a waiting list and undated every 3 months as to the projected timescale for their application to be invited. Each applicant will be invited to make an application in date order. The Council will however attempt to give priority to urgent applications, as determined by both the Council and the Occupational Therapist.

Conditions Applying to Provision of Assistance

Repayment

Upon completion of the works, a legal charge will be placed on the property registering the payment of grant assistance of £5,000 or more and requiring that if the property is sold within the following 10 year period, the applicant shall repay to the Council all the monies paid to a maximum of £10,000, plus interest as detailed on the Conditions Form.

Certificates and conditions of occupation

All applications for DFG must be accompanied by a certificate relating to the future occupation of the property, and the Council may not entertain an application unless such a certificate is provided. There are three different types of certificate:

(a). Owner-occupiers

An 'owners certificate' certifies that the applicant has, or proposes to acquire, an owner's interest (as defined in section 21(2)) in the dwelling, and that he intends that the disabled occupant will live in the dwelling as his only or main residence from the certified date throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit. The certificate serves to confirm the intention on application, and does not require repayment of grant where there is a breach of condition. However, the Council retains the discretion to demand repayment of the grant (sections 40 and 43 of the 1996 Act as amended by the Order).

(b). Tenants

A "tenant's certificate" certifies that the applicant is the tenant, and that he intends that the disabled occupant will live in the dwelling as his only or main residence from the certified date throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit. The certificate serves to confirm the intention on application, and does not require repayment of grant where there is a breach of condition. However, the Council retains the discretion to demand repayment of the grant (sections 40 and 43 of the 1996 Act as amended by the Order).

A tenant's application should, however, normally be accompanied by an owner's certificate from the landlord, unless the Council consider it unreasonable in the circumstances to require it.

(c). Occupier's certificates (in relation to houseboat and park home applications)

An 'occupiers certificate' certifies that the applicant intends that the disabled occupant will live in the qualifying houseboat or park home as his only or main residence from the certified date throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit. The certificate serves to confirm the intention on application, and does not require repayment of grant where there is a breach of condition. However, the Council retains the

discretion to demand repayment of the grant (sections 40 and 43 of the 1996 Act as amended by the Order).

An 'occupier's application' must, however, normally be accompanied by a consent certificate from each person who owns the mooring or land on which the houseboat or park home is stationed, or who owns the houseboat or park home (i.e. the landlord).

Properties held in trust

There are no specific provisions governing grant applications in respect of dwellings owned by trusts and such applications are, therefore, subject to the conditions applying applications by owner-occupiers, tenants or occupiers. Eligibility for grant is likely to depend on the terms of the individual trust and the Council will consider any such application on its merits based, as necessary, on their own legal advice.

A trustee or beneficiary applying for a grant must be able to fulfil all the normal grant conditions. So, for example, the applicant must be able to demonstrate a relevant interest in the property, either as an owner or a tenant, and to meet the conditions associated with either interest, including providing the appropriate certificate of future occupation.

Means testing

The Housing Renewal Grants Regulations 1996 provide a definition of 'relevant person' for the purposes of applications for DFG. Full details on the current operation of the means test are given in DTLR Circular 03/2002.

Successive applications

For those disabled people whose conditions are degenerative, further adaptations to their home to cater for their deteriorating condition may become necessary at a later date. Chapter I, Part I of the 1996 Act places no express restriction on successive applications for DFG on the same property. In such cases and depending on the time lapse between the successive applications, provision is made in the Housing Renewal Grants Regulations to reduce the amount of an applicant's current contribution. The contribution will be reduced by any previously assessed contribution if the applicant went ahead with the previous adaptations.

HOME LOAN AND EQUITY RELEASE SCHEME

The Council supports the Government's view that owners of dwellings should be encouraged to become less dependant on grant assistance to maintain their homes. The Council recognises that the market for the provision of low cost home loans and equity release products is developing and the Council will monitor the availability of such products. It should be stressed that in taking out any loan, particularly one that is secured against the value of a property, it is recommended that borrowers obtain expert financial and legal advice. The Council is not currently able to provide this advice and would need to enter into a partnership with a suitable external organisation.

FEES AND CHARGES

Where an applicant for assistance incurs fees or charges in the making of their application or appoints an approved agency service to assist them in making an application, the Council will reimburse the reasonable fees or charges incurred subject to the maximum amounts of assistance applicable.

APPLICATION PROCESS

It is the aim of the Council to make the process of applying for assistance as straight forward as possible. All applicants should first complete an initial assessment form to determine their eligibility for assistance. This requires basic financial and personal information about the applicant. Once eligibility of the applicant has been determined, in the case of a disabled facilities grant, a referral will be made to social services in order that an occupational therapist may make assessment of the disabled persons needs. Following this a grant officer will carry out a survey. If the grant officer determines that the works required are eligible for assistance, the applicant will be sent a schedule of works together with the relevant application forms for assistance.

ADVICE THAT IS AVAILABLE

The Council recognises that the provision of clear, concise, easy to understand and readily accessible information is a vital aspect of providing a good service under the principles of Best Value. The following literature that summarises the Council's policy and procedures for providing assistance will be available upon request:

- (a). the types of grant, loan or other assistance available;
- (b). whether the applicant's personal circumstances and property condition make them eligible to apply, with a reasonable expectation of receiving some form of assistance;
- (c). how to make an enquiry and application for assistance;
- (d). any help or advice available with making an application through in-house agencies, home improvement agencies, or partners in any loan scheme operating locally;

- (e). approval and payment processes;
- (f). any conditions that apply;
- (g). how the applicant's contribution (if any) or loan repayments will be calculated and when the loan repayment will be required;
- (h). how to resolve problems during and after completion of works;
- (i). target timescales for operating different parts of the process;
- (j). assistance that may be available instead of or in addition to a grant or loan;
- (k). advice, assistance and advocacy services that may be available from local home improvement agencies where support is required;
- (l). provisions for dealing with requests for assistance that fall outside the policy provisions and complaints procedures.

HOME IMPROVEMENT AGENCY SERVICES

The Council will offer the service of its Home Improvement Agency which will plan the works, obtain any planning or building regulation approval necessary, prepare detailed specifications, obtain builder's estimates and pay the final account on behalf of the applicant. The fee for this service will be 10% + VAT of the cost of the works, which will normally be met through the grant in accordance with Section 6 of this policy document.

The Council will also offer the service of its Home Improvement Agency to persons requiring disabled adaptations, financed by the Social Services Department, under the Chronically Sick & Disabled Persons Act 1970 and other aged and disabled persons requiring basic essential repairs or adaptations, (i.e. where the Authority is not able to offer a grant assistance).

The Council recognises the proposed Lincolnshire Home Improvement Agency through the Supporting People initiative and will consider support to the Agency subject to receiving a detailed report on the services offered and likely cost to the Council.

ARRANGEMENTS FOR COMPLAINTS

If any person has cause for complaint regarding this policy, procedures for grant assistance or the way in which their application for assistance has been handled, they may request a copy of the Council's complaint procedures. Copies may be requested from:

East Lindsey District Council,
Tedder Hall,
Manby Park,
Louth,
Lincolnshire. LN11 8UP

Telephone: 01507 601111

If they feel that their complaint has not been resolved to their satisfaction, then a complaint can be made to the Local Government Ombudsman whose details appear below:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Advice Line: 0300 061 0614

www.lgo.org.uk

ARRANGEMENTS WHERE APPLICATIONS FALL OUTSIDE POLICY

~~Where applications for assistance fall outside this policy, they will be considered departmentally in the first instance whereupon if it is considered that the case has sufficient merit, a report will be prepared and submitted for determination by the next available meeting of the relevant Portfolio and/or Executive Board of the Council. All funding awarded would be discretionary, and may be subject to repayment conditions.~~ Where applications for assistance fall outside of this policy, they will be considered under the Lincolnshire Discretionary Housing Financial Assistance Policy.

POLICY IMPLEMENTATION PLAN

This Housing Grants Assistance Policy was adopted by the Council on the 13th January 2015 and will be implemented from that date. The policy will be reviewed at intervals which will not exceed 12 months, the first review falling due 12 months from the implementation date of this policy.

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Private Sector Housing Policy Framework



BOSTON BOROUGH COUNCIL
PRIVATE SECTOR HOUSING POLICY FRAMEWORK 2018

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1 Introduction

Poor quality housing can have a detrimental effect not only on the health and wellbeing of the people living in poor quality and badly managed homes but also on the general quality of life in an area. Whilst the responsibility for the maintenance and improvement of homes rests with the property owner, the Council recognise that some owner occupiers – often the elderly and other vulnerable home owners – may not have the resources necessary to ensure that their homes remain free from disrepair that can affect their health and well-being.

The Council also has a **critical** role to play in ensuring that all rented homes are well maintained and well managed and present no threat to the health, safety or well-being of those who live or otherwise visit them.

This Framework document aligns to our Corporate Plan and sets out the Council's broad approach to its support for, work with and regulation of 'private sector housing' within the Borough. The term 'private sector housing' refers to owner-occupied homes and homes rented from a private landlord. The term includes homes that go with a job or business but not those owned by Housing Associations or Registered Providers, however, all enforcement and regulation provision applies regardless of tenure.

Throughout we describe how the Council, as the Local Housing Authority, will meet its private sector housing focussed statutory responsibilities and support residents by providing a range of advice and assistance to improve the provision, quality and management of homes within the Borough. It includes information on: the licensing of Houses in Multiple Occupation (HMOs), housing enforcement responsibilities, small works grants for vulnerable households, and the provision of mandatory and discretionary Disabled Facilities Grant (DFG) adaptations and other functions.

As with any medium term framework, parts of this document may become outdated as a result of amendments to legislation and the influence of other strategic policy documents produced by the Council, Government or other National Authority. It is essential that it is kept under regular review and updated when necessary and appropriate. The relevant Head of Service therefore has delegated authority to make minor and consequential changes to this Framework in consultation with the relevant Portfolio Holder.

A table of potential financial assistance and conditions is shown in **Appendix C**. It must be noted that any discretionary assistance or discretionary powers identified in this Framework are subject to the availability of funding and other resources and the Council is under **no** obligation to provide assistance or take discretionary action. All aspects of this Framework can only be delivered in full accordance with the Council's corporate governance arrangements so must be read in conjunction with other Council policies and procedures including but not being limited to Council's Procedure Rules, Scheme of Delegation to Officers and Corporate Enforcement Policy.

2 Legislative Context

There are a number of statutory provisions that govern our support for, work with and regulation of the homes within our Borough, these include but are not limited to:

Housing Act 2004

This Act came into force in April 2006 and reformed housing legislation for landlords, owners and occupiers. The Act places both mandatory duties on housing authorities as well as giving a range of **discretionary** powers, these include: an amended mandatory licensing scheme for Houses in Multiple Occupation (HMOs) in properties occupied by five or more people, forming two or more households sharing basic amenities. The granting of a licence is dependent on meeting minimum standards for amenities, management and fire precautions.

The Housing Health and Safety Rating System (HHSRS) is the prescribed method for assessing and determining if a hazard exists that could affect the health safety and wellbeing of occupiers and visitors. The Act sets out that a Council shall take action where it finds serious hazards to remove or reduce the risk of harm. Further details on HHSRS and the Council's processes on enforcement are set out in Section 3

The power to take over the management of empty homes in certain circumstances to make sure they are maintained, occupied and managed properly. More details on the powers available to local authorities to return empty homes back into use and the Council's approach can be found in Section 7.

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

This legislation empowers local housing authorities to provide financial assistance for housing renewal in the form of grants, loans or other assistance to tenants and private owners in accordance with a locally determined policy. Details on housing renewal assistance offered by the Council are set out in Sections 5 and 6.

Housing Grants, Construction and Regeneration Act 1996, Disabled Facilities Grant Regulations 2008 and Disabled Facilities Grant General Consent 2008

The Housing Grants, Construction and Regeneration Act 1996, amended by the Regulatory Reform Order 2002, provides the primary legislation governing mandatory Disabled Facilities Grants (DFGs) with the Disabled Facilities Grant General Consent 2008

covering discretionary grant assistance, the current scope of DFGs and setting out the conditions in which a local authority can place a charge on a property in respect of DFGs. Further information on DFGs is contained within Section 5 of this policy and in Appendix C.

Home Energy Conservation Act (HECA) 1995

This places an obligation on a local authority to prepare and publish a strategy to improve the domestic energy efficiency of all residential accommodation in their areas. The Council's strategy and the bi-annual updates can be accessed on the Council's website at www.boston.gov.uk/Housing

Energy Act 2011

The Act created a financing framework to enable the provision of fixed improvements to the energy efficiency of households and non-domestic properties. The Act also requires that from April 2016 private residential landlords are unable to refuse a tenant's reasonable request for consent for energy efficiency improvements where a suitable finance package exists and from April 2018 made it unlawful to rent out a residential or indeed business premise that does not achieve a minimum energy efficiency standard (EPC 'E' rating) unless a valid exemption is in place.

The Redress Scheme for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

This Order made it a legal requirement for all existing lettings agents and property managers to join a Government approved redress scheme by 1st October 2014 and for all new operators from 1 October 2014 to join prior to operating.

The Order provides that tenants, prospective tenants, landlords dealing with letting agents in the private rented sector; as well as leaseholders and freeholders dealing with property managers in the residential sector can complain to an independent person about the service received.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

This Order identifies the requirements, obligations and actions required by a relevant landlord and the Council in relation to smoke and carbon monoxide alarms in privately rented properties.

Housing and Planning Act 2016

The Housing and Planning Act introduced a wide new package of measures affecting Local Housing Authorities and local Planning Authorities. The principal matters covered by the Act relevant to this Policy Framework are:

- Introducing the framework for Civil Penalties in respect of certain housing offences
- Allowing Local Authorities to apply for Banning Orders
- Creating a national database of Rogue Landlords and Letting Agents
- Allowing tenants or Local Authorities to apply for Rent Repayment Orders where landlords have committed certain offences.

3 Housing Health and Safety Rating System

The Housing Act 2004 places a duty on the Council to deal with Category 1 hazards where they are identified using the Housing and Health Safety Rating System (HHSRS). Category 1 hazards are those hazards that represent the most serious risk of harm to people's health, safety and well-being.

Private rented properties and owner occupied homes are more generally of concern to the Council as Registered Providers are regulated independently and are required to provide housing stock that meets the Decent Homes Standard.

Although this is generally an enforcement role, the Council are also committed to helping responsible landlords and owners to achieve high standards in their properties by providing advice, guidance and support wherever possible.

The Council's response to complaints about housing conditions will be in accordance with the following principles;

- Following a complaint about poor housing standards in a private rented home, the Council will take appropriate and proportionate action to investigate the complaint. Initial investigations could result in advice or assistance being given or where necessary a formal inspection of the property will be undertaken.
- Inspections can take place in response to a: complaint from a resident (a request for service), in accordance with statutory requirements, a risk based assessment such as the licensing of houses in multiple occupation (HMOs) or as part of any proactive scheme to target poor property conditions.
- Formal inspections are made in accordance with the risk based HHSRS model which is used to identify potential risks and hazards to health & safety arising from any deficiencies identified in the dwellings. Inspections will be carried out by suitably trained and competent officers.
- When offering advice in relation to compliance we will distinguish between statutory requirements and advice or guidance which is aimed at improvements above minimum standards

Enforcement activities will always be carried out in accordance with the Council's prevailing Corporate Enforcement Policy and Scheme of Delegation to Officers. This policy is implemented by Council Officers in accordance with the Council's constitution. All officers undertaking enforcement activity will be suitably qualified and/or experienced to do so and will be duly authorised under the Council's Scheme of Delegation.

Powers and Options

Power of Entry

Section 239 of the Housing Act 2004 gives the Council power of entry to properties in pursuance of its duties under Part 1 of the Act. Under Sub-section(7) officers are entitled to enter premises at any reasonable time without giving prior notice, where the Council considers that an offence might have been committed under Sections 72 and 95 (HMO Licensing) and Section 234 (HMO Management Regulations). In other cases 24 hours notice will be given to the owner and/or occupier for an inspection to be carried out to ascertain whether Category 1 or 2 hazards exist. In circumstances where entry is refused, the property is empty or where prior warning would negate the purpose of access a warrant may be obtained.

Enforcement Options

The Housing Act 2004 (and other legislation) places councils under a general duty to take appropriate action in relation to Category 1 hazards. Boston Borough Council will use any of the following options;

- Serve an Improvement Notice in accordance with Section 11
- Make a Prohibition Order in accordance with Section 20
- Serve a Hazard Awareness Notice in accordance with Section 28
- Take Emergency Remedial Action under Section 40 or otherwise undertake works in default
- Make an Emergency Prohibition Order under Section 43
- Make a Demolition Order under Section 265 of the Housing Act 1985 Powers a) to c) can also be used in relation to dealing with Category 2 hazards.

The Council also has numerous duties and powers under various other Acts, Orders and Regulations that it can and will use as part of its housing regulation function.

In addition, the Council work very closely with Lincolnshire Fire and Rescue on matters of fire safety and fire protection who have separate enforcement powers under the Regulatory Reform (Fire Safety) Order 2005 which they are able to use if needed. Where serious breaches are found that prejudice the health, safety and well-being of our residents, we will consider joint enforcement and joint prosecution where applicable.

Boston Borough Council has a duty under Section 5 of the Housing Act 2004 to take the most appropriate course of action (enforcement action) where Category 1 hazards exist. In all cases, the Council will take action that is reasonable, justified and proportionate which can include a range of formal and pre-formal stages. When determining the most appropriate course of action, officers will take account of matters, including but not being limited to, the severity of the issues to hand, the immediacy of the issues to hand and the compliance history of the landlord or agent to most effectively protect the health, safety and well-being of those having cause to resort to the premise.

Section 7 of the Housing Act 2004 gives the Council a power (rather than a duty) to take enforcement action in respect of Category 2 hazards. It will be for appropriately authorised officers to consider the individual merits of every case and what if any action to take in respect of reducing or removing Category 2 hazards. Whilst the Council is **not** under a **duty** and therefore may choose **not** take action in respect of every deficiency or defect found within any home, the enforcement options open to it include but may not be limited to:

- Serving an Improvement Notice in accordance with Section 11
- Making a Prohibition Order in accordance with Section 20
- Serving a Hazard Awareness Notice in accordance with Section 28

The Council charge for all forms of formal enforcement action where the law allows. A schedule of fees is set out in **Appendix B**. Charges will be reviewed at least annually and published from time to time.

Non Compliance

Where statutory Orders and other Notices are not complied with or where there are serious breaches of legislation/threats to people's health, safety or well-being, the Council will consider further action such as issuing a caution, a Civil Penalty or commencing prosecution proceedings. Prosecutions will be dealt with through the Courts as civil or criminal matters.

In securing acceptable housing standards, other legislation may be used, including but is not being limited to:

- Anti-Social Behaviour, Crime and Policing Act 2014
- Environmental Protection Act 1990
- Public Health Act 1936
- Prevention of Damage by Pests Act 1949
- Building Act 1984

- Town and Country Planning Act 1990
- Housing and Planning Act 2016

Boston Borough Council has a range of legal powers available to it for enforcement across many of its areas including as a Local Planning Authority and as an Environmental Health authority. Where any cross over or link with other teams exist, other teams from the Council may take the lead in any enforcement action or the Council may take multi-disciplinary action.

In cases where the Council has evidence to suggest that an offender has financially benefitted from a crime, Boston Borough Council may also seek legal action (in conjunction with) other agencies under the Proceeds of Crime Act 2002.

4 Licensing of Houses in Multiple Occupation (HMOs)

Until 1 October 2018, HMO licences are/were only required in Boston for properties consisting of THREE or more storeys that are occupied by FIVE or more people who form TWO or more households who share basic amenities. From 1 October 2018, changes to the law mean that all HMOs that house FIVE or more people who form TWO or more households who share basic amenities **REGARDLESS OF THE NUMBER OF STOREYS THE HMO IS SPREAD OVER** must have made a valid application or hold a valid HMO Licence. Failure to have applied by 1 October 2018 or hold a valid licence from 1 October 2018 is a criminal offence.

For further information, please refer to the Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018.

Unless there are legitimate extenuating circumstances, Boston Borough Council require HMO applications to be made online.

The granting of a licence is dependent on meeting minimum standards for amenities and other minimum requirements including but not being limited to room sizes, management, refuse storage and disposal, fire precautions and other as prescribed in law.

Appendix A of this Framework and Schedule 1 thereof sets out the **minimum** conditions to be applied by the Council to an HMO Licence and the minimum Amenity Standards **all** HMOs must meet. In addition, the licence holder **will** be required to comply with **all** prevailing regulations, statutory codes or other, such as any requirement arising as a consequence of tribunal and other legal rulings, or additionally specified within the licence. Boston Borough Council will use the room sizes prescribed within *The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018*, however, it will always consider at what point a Crowding and Space Hazard may arise and limit occupation accordingly.

Mandatory HMO licenses are valid for up to 5 years and will specify the number of occupiers and households permissible in the HMO. Occupancy numbers will depend on the size of rooms and the facilities and amenities available.

Where a property does not meet all of the requirements for a full licence, the Council may;

- Apply additional conditions to the licence
- Reduce the length of the licence and apply conditions to the granting of the licence
- Restrict the occupation of the property until conditions are met
- Refuse to grant the licence

An applicant will be expected to show that they are a 'fit and proper person' to be issued with a licence. Boston Borough Council will determine whether the Landlord/Managing Agent is the most appropriate person to hold a licence by looking at whether they have:

- Committed any serious criminal offences (fraud, violence, drugs or sexual offences)
- Discriminated illegally against anyone
- Breached laws that relate to renting out property

Whilst the Council will adopt a common sense approach and exercise its discretion reasonably and proportionately in relation to applying 'fit and proper' tests in accordance with Section 89 of the Housing Act 2004, applicants WILL need to provide a basic DBS disclosure certificate, issued no more than **one month prior to making a Mandatory HMO Licence application**. A licence may be revoked if the Council no longer considers the licence holder to be a fit and proper person to hold a licence.

Licence fees are payable both at the point of application, and, in respect of applications that will be granted, will be subject to a further payment prior to issue of the Licence. The further payment is to cover monitoring of compliance of the licence in accordance with the requirements of the EU Services Directive. Full details of the licensing charges in force at the time of publication of this version are shown in **Appendix B**; these charges will be reviewed at least annually.

Breaches of licence conditions (where reported to the Council or found upon compliance inspections) could result in variation to, or revocation of, a licence as well as potential enforcement action including the issuing of a Civil Penalty.

Failure to licence a HMO may also result in enforcement action including issuing of a Civil Penalty by the Council and the involvement of the Residential Property Tribunal who are able to impose Rent Repayment Orders requiring up to 12 months rent to be repaid on conviction of a failure to licence.

Inspections of HMOs can be undertaken for many reasons, including but not being limited to:

- When a new HMO is identified
- Following a complaint about property standards or management
- In accordance with a risk based inspection programme
- Before issuing a HMO licence

Further details, guidance and application forms relating to HMOs are available from the Council on request.

5 Civil Penalties and Banning Orders

Introduction

The power to impose a **Civil Penalty** as an **alternative** to prosecution for certain Housing Act offences was introduced by section 126 and Schedule 9 of the Housing and Planning Act 2016. A Civil Penalty is '*a financial penalty imposed by a local housing authority on an individual or organisation as an alternative to prosecution for certain housing offences under the Housing Act 2004*'.

The list of offences (which may from time to time be amended) that may be dealt with by way of a Civil Penalty are:

- Failure to comply with an Improvement Notice (section 30);
- Offences in relation to licensing of Houses in Multiple Occupation (section 72);
- Offences in relation to licensing of houses under Part 3 of the Act (section 95);
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234).

At all times the Local Housing Authority will have *regard* to prevailing Statutory Guidance in respect of civil penalties.

Factors in deciding whether to Prosecute or issue a Civil Penalty.

Each case will be decided upon its own merits taking into account all the evidence available.

Where the Council considers that a relevant Housing Act offence has been committed, it will determine the most appropriate course of action to take, including, whether to prosecute or to issue a Civil Penalty as an alternative to prosecution. A range of factors, including but not limited to those set out below, will be used to determine the appropriate enforcement option:

- The seriousness of the offence
- The immediacy of the risk
- The history of an individual, including any previous non-compliance and convictions
- Whether prosecution is in the 'public interest'
- Whether the offence was committed as a result of a genuine mistake or misunderstanding, having regard to the seriousness of the offence

- The likely 'human impact' the enforcement action will have in preventing future offences

As a Civil Penalty is an 'alternative' to prosecution, the burden of proof test to be applied is the same as any criminal prosecution and requires that the case is proved ***beyond all reasonable doubt***. The Council will satisfy itself that there would be a realistic prospect of conviction if the case were to be prosecuted in a Magistrates Court before issuing a Civil Penalty and will comply with the Council's prevailing Corporate Enforcement Policy and all other prevailing Codes and Statutory Guides, eg the Code for Crown Prosecutors and Police and Criminal Evidence Act codes.

Factors determining the level of Civil Penalty

The law allows a maximum penalty of **£30,000** to be imposed for each relevant offence.

The Council will use a range of factors, including but not limited to those set out below in order to set a Civil Penalty at an appropriate level:

- The severity of the offence, the more serious the offence the higher the penalty
- The **culpability**, history and compliance of the offender
- The **harm** caused to the tenant and other relevant people by the offender
- The 'real terms' economic impact that a Civil Penalty punishment will have on the offender
- The deterrent value that a Civil Penalty is likely to have on preventing the offender from repeating the offence and failing to meet all of their legal responsibilities
- The deterrent value that civil penalties are likely to have on other landlords from committing similar offences

Removal of any financial benefit gained by the offender from committing the offence.

The nature of the harm will depend on the personal characteristics and circumstances of the victim. Where no **actual** harm has resulted from the offence the Council will consider the relative danger that persons have been exposed to as a result of the offenders conduct, action or lack of action as well as the likelihood of harm occurring and the gravity of harm that could have resulted.

In determining the level of **harm** arising from an offence, the Council will have regard to any relevant consequences including:

- The harm caused to an individual or individuals, i.e. physical injury, damage to health and psychological distress
- The harm caused to the wider neighbourhood and community i.e. economic loss and harm to public health.

Factors that indicate higher degrees of harm include:

- Where there are multiple victims
- Where there is a serious or long term psychological effect on the victim or
- Where the victim or victims is/are particularly vulnerable

In determining the **culpability** of the offender or offenders, the Council will have regard to issues including whether:

- The offender **deliberately and/or intentionally** caused harm
- The offender was **reckless** in their actions or failings. Being reckless here means failing to have had regard to the danger or other negative consequences of any risk or risks that would be obvious to most people
- The offender **knew** of the risks, for example, they had been set out in a notice and not complied with or would have been obvious to most people upon inspection
- The offender was **negligent**. Being negligent here means the offender failed to take reasonable care and did something or failed to do something that would have been reasonable to do, ie inspecting or causing to have a property regularly inspected, acting upon the findings of an inspection or failing to act on reports from tenants and others

Where a Civil Penalty is deemed appropriate, to demonstrate transparency, the Council will determine the financial level of the Civil Penalty using the matrix set out within this document.

Procedure for imposing a Civil Penalty.

Where it has been determined that it is appropriate to impose a Civil Penalty as an alternative to prosecution, the Council will follow the process set out within the Housing Act 2004. In summary:

A “**Notice of Intent**” shall be served on the person suspected of committing the offence. The Notice shall be served no more than six months after the Council has sufficient evidence of the conduct to which the penalty relates.

The Notice shall specify:

- The amount of any proposed financial penalty
- The reasons for proposing the financial penalty

- Information about the right to make representation to the Council.
- The person to which the notice relates will be given **28 days** to make written representation to the Council about the proposal to impose a financial penalty. The representation may be via any legible written format, but to aid respondents, a form will be included with the Notice of Intent.

Following the 28 day period the Council will decide:

- Whether to impose a Civil Penalty on the person, and
- The value of any such penalty imposed.

If the Council decides to impose a Civil Penalty, a final notice shall be issued imposing that penalty. The final notice will specify:

- the amount of the financial penalty,
- the reasons for imposing the penalty,
- information about how to pay the penalty,
- the period for payment of the penalty,
- information about rights of appeal to the First tier Tribunal
- the consequences of failure to comply with the notice.

A person who receives a final notice may appeal to the First-tier Tribunal against:

- the decision to impose a penalty; or
- the amount of the penalty.

The Council may, at any time:

- Withdraw a notice of intent or final notice or
- reduce the amount specified in a notice of intent or final notice

Where the Council decides to take either action, it will write to the person to whom the notice was served.

Payment of a Civil Penalty

Where a person in receipt of a Civil Penalty has exhausted all rights of appeal or has not paid or is not paying the penalty, the Council may refer the case to the county court for an Order of that Court. The Council may use any reasonable and lawful process, including use of county court and other bailiffs, to enforce the order and recover the debt.

Database of Rogue Landlords

Where a landlord receives **two** or more civil penalties over a 12 month period, the Council may include that person's details in the national **database of rogue landlords and property agents**.

The purpose of the database is to enable local housing authorities to record information about, and target enforcement action against, any landlord who has:

- received a banning order under the Housing and Planning Act 2016;
- been convicted of a banning order offence; or
- received TWO or more civil penalties over a 12 month period.

Banning Orders

A Banning Order is an Order made by the First-tier Tribunal that bans a landlord, **for a minimum of 12 months**, from:

- Letting housing in England;
- Engaging in English letting agency work;
- Engaging in English property management work; or
- Doing two or more of those things.

A banning order offence is an offence of a description specified in **The Housing and Planning Act 2016 (Banning Order Offences) Regulations 2018**. In considering whether to pursue an Banning Order, the Council will take account of prevailing national guidance and consider factors including but not necessarily limited to: the seriousness of the offence; previous convictions and whether a Landlord appears on the Database of Rogue Landlords; the harm caused to tenants; punishment of the offender and the deterrent effect of a Banning Order on the offender and on others. The process the Council will follow prior to applying for a Banning Order is set out in section 157 of the Housing and Planning Act 2016. **Breach of a Banning Order is a criminal offence.**

Civil Penalty Matrix

Factors	Score = 1	Score = 5	Score = 10	Score = 15	Score = 20	Total
1 - Deterrence & Prevention (Pick only one box to the right)	<p>High confidence that a financial penalty will deter repeat offending.</p> <p>Publicity likely to have some deterrence value to other landlords.</p>	<p>Medium confidence that a financial penalty will deter repeat offending.</p> <p>Publicity likely to have some deterrence value to other landlords.</p>	<p>Low confidence that a financial penalty will deter repeat offending (e.g. no contact from offender).</p> <p>Publicity likely to have deterrence value to other landlords.</p>	<p>Little confidence that a financial penalty will deter repeat offending.</p> <p>Publicity likely to have significant deterrence value to other landlords.</p>	<p>Very little confidence that a financial penalty will deter repeat offending.</p> <p>Publicity likely to have very significant deterrence value to other landlords.</p>	
2 - Removal of Financial Incentive (Pick only one box to the right)	<p>No or very low financial benefit made by the offender.</p> <p>Probable single property asset.</p>	<p>Low financial benefit made by the offender.</p> <p>Probable small property asset value (2–3 properties).</p>	<p>Some financial benefit made by the offender.</p> <p>Probable small portfolio landlord (between 4 and 6 properties). Low asset value.</p>	<p>Clear financial benefit made by the offender.</p> <p>Probable medium portfolio landlord (between 7 and 10 properties) or a small Managing Agent. Medium asset value.</p>	<p>Substantial financial benefit made by the offender.</p> <p>Probable large portfolio landlord (over 10 properties) or a medium to large Managing Agent. Large asset value.</p>	
3 - Offence History (Pick only one box to the right)	<p>Single offence with no previous enforcement</p>	<p>Single offence with one previous enforcement issue.</p>	<p>Single offence with two previous enforcement issues.</p>	<p>Single offence with three or more previous enforcement issues.</p>	<p>Multiple offences with three or more previous</p>	

one box to the right)	history.	Multiple offences with no previous enforcement history.	Multiple offences with one previous enforcement issues.	Multiple offences with two previous enforcement issues.	enforcement issues.	
Factors	Score = 1	Score = 5	Score = 10	Score = 15	Score = 20	Total
4 - Harm to Tenant(s) (Weighting x2) (Pick only one box to the right)	Little potential for harm.	Potential for low level harm.	Potential for moderate level harm.	Potential for high level harm.	Actual harm caused to occupant/ occupants as a direct consequence of a landlords failings.	Double score
5- Culpability (Responsibility, guilt, fault) (Pick only one box to the right)	There has been an unintentional/unforeseen failing(s) on behalf of the landlord/agent.	There has been an act, error or omission on behalf of the landlord/agent. Offence is committed with little fault on the part of the landlord or property agent e.g. damage caused by tenants including damp and mould caused by tenants where however property improvements could be made to improve the property and	There has been a negligent act , error or omission on behalf of the landlord/agent. i.e. a landlord or agent has failed to take reasonable care and did something or failed to do something that would have been reasonable to do. e.g. failing to act upon the findings of an inspection or	There has been a reckless act , error or omission on behalf of the landlord/agent. i.e. the danger and risk brought about by an act, error or omission would be obvious to most people yet the landlord/agent made no attempt to address such obvious matters. e.g. failure to comply with gas and/or electrical safety requirements for rented	There has been a deliberate and intentional act , error or omission on behalf of the landlord/agent. i.e. – there has been a blatant disregard for the law. e.g. an unreasonable failure to comply with a correctly served Improvement	

		address the situation	failing to act in a timely manner to reports from tenants.	property, failure to carry out a fire risk assessment in an HMO or failure to remedy obvious serious disrepair.	Notice, deliberate breach of the Management Regulations or deliberate failure to Licence a Mandatorily Licensable HMO.	
Failure to Licence a THREE storey plus Mandatorily Licensable House in Multiple Occupation						
	<u>Score = 41</u>					
Failure to Licence a one/two storey Mandatorily Licensable House in Multiple Occupation						
	<u>Score = 36</u>					
Final Total		Add total of above scores here				

Score Range	Fee	Scoring regime-
6-10	Warning Letter	Each row should be scored in order with only one option being chosen for each row.
11-20	£500	All rows MUST be scored.
21-30	£750	Note the score in the Total column.
31-40	£1,000	Factor 4 – Harm to Tenants has an additional weighting, which will double the selected score.
41-45	£2,500	In the final cell at the bottom of this column insert the final total.
46-50	£5,000	The score should then be compared to the sliding scale of enforcement fee to be levied.
51-60	£10,000	
61-70	£15,000	
71-80	£17,500	
81-90	£20,000	
91-100	£22,500	
101 – 110	£25,000	
111 – 120	£27,500	
121 and above	£30,000	

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6 Rent Repayment Orders

Introduction

The Housing Act 2004 introduced rent repayment orders (RROs) to cover situations where the landlord of a property had failed to obtain a licence for a property that was required to be licensed, specifically Houses in Multiple Occupation (HMO's). RROs are a means by which a tenant or local authority can seek to have up to 12 months of rent repaid in addition to other enforcement action.

RROs have now been extended through the Housing and Planning Act 2016 to cover a much wider range of offences and can now be applied for to cover the following situations:

- Failure to comply with an Improvement Notice (s.30 Housing Act 2004)
- Failure to comply with a Prohibition Order (s.32 Housing Act 2004)
- Breach of a banning order made under s.21 Housing and Planning Act 2016
- Using violence to secure entry to a property under s.6 Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property under s.1 Protection from Eviction Act 1977

Applications for a RRO must be made to the First-tier Tribunal.

Where the offence was wholly committed before 6 April 2017 or the commission of the offence started before the 6 April 2017 and ended no later than 5 April 2018, the provisions in the Housing Act 2004 continue to apply.

Where the offence was wholly committed on or after 6 April 2017, the provisions in the Housing and Planning Act 2016 and this guidance should be used.

An order can be applied for when one of the above offences has been committed, whether or not the landlord has been convicted. Where the landlord has not been convicted of the relevant offence, the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence.

If the Council paid the rent through either housing benefit or universal credit, any rent recovered must be repaid to the Council. If the tenant paid the rent in full (no HB or UC) any amount recovered must be paid to the tenant. If the rent was paid partly through

HB/UC and by the tenant, the amount recovered must be repaid on an equivalent basis to each party. If there are multiple tenants in the property, each must apply for a RRO to recover the rent they have paid.

The maximum amount of rent that can be recovered is capped at 12 months.

Any income received from a RRO can be retained by the Council provided it is used towards private sector housing enforcement activities.

When to apply for a RRO

The Council will consider applying for a RRO in all cases where the landlord has been convicted of a relevant offence and some or all of the rent was paid through housing benefit/universal credit.

Where a landlord has not been convicted, the Council will take the following factors into account in deciding whether a RRO is appropriate and how much should be recovered:

Punishment of the offender – RROs should have a real economic impact on the offender. The Council will consider the conduct of the landlord and tenant, the financial circumstances of the landlord and whether the landlord has been convicted of similar offences

Deter the offender from repeating the offence – the level of the penalty should be set at a high enough level to deter the offender from repeating the offence

Dissuade others from committing similar offences – the issue of a RRO will be in the public domain therefore robust and proportionate use of the orders is likely to help others comply with their responsibilities

Remove any financial benefit the offender may have obtained as a result of committing the offence

Who is named on the RRO?

A RRO can only be applied for in the name of the landlord of the property.

Civil Penalty and RRO

The Council can impose a Civil Penalty and apply for a RRO for the following offences:

- Failure to comply with an Improvement Notice (s.30 Housing Act 2004)
- Offences in relation to licensing of HMOs (s.72(1) failure to licence)
- Offences in relation to licensing of houses under Part 3 of the Housing Act 2004 (s.95(1), selective licensing)

Prosecution and RRO's

The Council can prosecute a landlord and seek a RRO for the same offence.

Process for applying for a RRO

Stage 1 – serve a notice of intent

Before applying for a RRO, the landlord must be served with a Notice of Intent. The notice must be served within 12 months of the date on which the landlord committed the offence to which it relates.

The notice must:

- Inform the landlord the Council is proposing to apply for a RRO and the reasons why
- State the amount the Council is seeking to recover
- Invite the landlord to make representations within a period specified in the notice which must be at least 28 days

Stage 2 – right to submit written representations

The landlord may make written representations to the Council about the intention to apply for a RRO. Any representations must be made within 28 days from when the notice was given. The Council cannot apply for a RRO during this period.

Stage 3 – end of written representation period

Once the 28 day period for receiving written representations has expired, the Council can apply for the RRO.

Stage 4 – right of appeal

The landlord can appeal against the decision of the First-tier Tribunal to the Upper Tribunal provided permission to appeal has been given by either the First-tier or Upper Tribunal.

Refusal to Pay

Where the landlord fails to pay the RRO, the Council or tenant can refer the case to the County Court for an Order of that Court. County Court bailiffs can be used to enforce the Order and recover the debt.

Tenants and RROs

Tenants can apply directly for a RRO providing that:

- The offence relates to housing that was occupied by the tenant at the time of the offence; and
- The application for a RRO is made within 12 months of the date that the offence has been committed

The tenant does not have to go through the same process as the Council. The tenant only needs to submit a claim form to the First-tier Tribunal which sets out the reasons for the claim and the dates to which it relates.

There is no statutory obligation on the Council to support the tenant in making a claim, however, where the Council has evidence in support of the tenant's case, it will make this available to the tenant for the purposes of the claim.

RROs and Universal Credit

The Council will not have access to UC data, therefore, where the Council wishes to apply for a RRO and some or all of the rent has been paid via UC, the tenant will need to provide the information from their benefit statements or request the information required direct from the DWP.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/606654/Rent_Repayment_Orders_guidance.pdf

7 Smoke and Carbon Monoxide Alarms

From 1 October 2015 it was a requirement for all landlords/letting agents/property managers of certain residential properties to ensure that smoke alarms are fitted on each floor of any rented property and that any living spaces with solid fuel appliances have a carbon monoxide alarm. In terms of the Council's policy approach, fire safety in residential accommodation is one of the Council's priority concerns. As a consequence, the Council requires all privately rented accommodation to meet the relevant standards set out in the LACORs guidance document, Housing – Fire Safety. In summary, the Council requires all single occupancy privately rented homes to meet the relevant standards described in case examples D1 – D3 and that **all HMO's** meet the relevant standards described in case examples D7 – D9.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 are linked to Section 150 of the Energy Act 2013 and Schedule 4 of the Housing Act 2004 and can be found at <http://www.legislation.gov.uk/ukdsi/2015/9780111133439/contents>

The duties of the landlord in relation to prescribed alarms are summarised as;

A smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation;
A carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance and
Checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day any new tenancy starts.

Under the regulations Boston Borough Council are the enforcement body within the borough of Boston. The process for ensuring compliance is summarised below. Full details are available via the following link:

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-local-authorities>

Step 1.

If Boston Borough Council has reasonable grounds to believe a landlord is in breach of the requirements it will serve a remedial notice on the landlord. Reasonable grounds could include being informed by the tenant, letting agent or a housing officer. The Council is not required to enter the property to prove non-compliance.

Step 2.

The landlord has 28 days to comply with the remedial notice. If a landlord does not prove they have taken all reasonable steps to comply Boston Borough Council could decide on the balance of probabilities that the landlord is in breach of the duty to comply. In the absence of evidence such as dated photographs, copy installation records or confirmation by the tenant Boston Borough Council will consider the landlord to be in breach.

Step 3.

Where the landlord has not complied within 28 days and Boston Borough Council is satisfied that the duty has been breached it will arrange (with the occupiers consent) for remedial action to be taken. This will be to ensure that the tenants are protected by working alarms. The Council will use a suitably qualified contractor to undertake the works to either install an alarm or repair/check an existing installation.

In the event of having to take this course of action the Council will impose a Civil Penalty of up to £5,000 in line with the prevailing statement of principles as published by the Council at the time.

The Council will issue a penalty charge notice in writing along with any other information as required within the regulations.

Step 4.

If a landlord does not agree with a penalty charge notice it can be appealed in writing to Boston Borough Council within the time period specified in the notice. The Council will consider the representations made and decide whether to confirm, vary or withdraw the notice. This will be confirmed to the landlord in writing along details of the appeals process to the First Tier Tribunal

8 Minimum Standard for the Energy Efficiency of Private Rented Properties

Energy efficiency regulations^[1] (“the Regulations”) establish a minimum standard for domestic privately rented property, subject to certain requirements and exemptions:

- From 1st April 2018, landlords of relevant domestic private rented properties may not grant a tenancy to new or existing tenants if their property has an Energy Performance Certificate (EPC) rating of band F or G.
- From 1st April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating of F or G (as shown on a valid EPC for the property).

Where a landlord wishes to continue letting property which is sub-standard, they will need to ensure that energy efficiency improvements are made which raise the EPC rating to a minimum of E.

Under prescribed circumstances within the Regulations, the landlord may claim an exemption from prohibition on letting a sub-standard property. **Where a valid exemption applies the landlord must register the exemption on the national Private Rented Sector Exemptions Register.**

The minimum standard will apply to any domestic privately rented property which is legally required to have an EPC and which is let on certain tenancy types. Landlords of property for which an EPC is not a legal requirement are not bound by the prohibition on letting sub-standard property.

The Council may:

- Check that properties in the district falling within the scope of the Regulations meet minimum levels of energy efficiency.
- Issue a compliance notice requesting information where it appears that a property has been let in breach of the Regulations.
- Serve a penalty notice where satisfied that the landlord is, or has in the past 18 months, been in breach of the requirement to comply with a compliance notice or has provided false or misleading information on the exemptions register.

The Council will have regard to the guidance^[2] in the application of this legislation, the level of any financial penalty imposed and the

^[1] [Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#)

^[2] <https://www.gov.uk/government/publications/the-private-rented-property-minimum-standard-landlord-guidance-documents>

publication of the penalty.

9 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The above regulations place a responsibility on landlords to ensure that Electrical Safety Standards within rented properties are met during any period that the property is occupied. This includes a requirement that the installation is inspected/tested by a suitably qualified person at intervals of no more than 5 years (or less if specified within the previous report), and to undertake such further investigative or remedial work as may be identified within that report.

Copies of the report must also be provided to new occupants before that tenant occupies the property, to existing tenants within 28 days of the inspection and test, and to the Council within a period of 7 days of receiving a request to do so.

Where the Council has reasonable grounds to believe that a landlord has failed to fulfil their duties under these regulations, the Council must serve on that landlord a Remedial Notice requiring the landlord to take remedial action within 28 days.

Should a landlord fail to comply with this notice, the Council may arrange for a suitable contractor to carry out the work, and in addition may require the landlord to pay a financial penalty of such amount as the authority may determine. The amount of the penalty charge must not exceed £30,000.

The Council will have regard to the guidance in the application of this legislation, the level of any financial penalty imposed and the publication of the penalty.

10 Disabled Facility Grants

Mandatory Grants

Mandatory DFGs will be awarded in accordance with the Housing Grants, Construction and Regeneration Act 1996 which determines the maximum amount of grant, the type of work which may be funded and the test of resources which may be required to be applied. Section 23 (1) of the above Act identifies the mandatory works eligible for assistance. The **maximum** amount of assistance is £30,000.

Purpose

To adapt the home of a disabled person to meet their needs in providing access to and from the dwelling; facilitating access to a room used or usable as a principal family room; facilitating access to a room used or usable for sleeping; facilitating access to toilet and bathing facilities or for the preparation of food and to improve access to and from the garden where feasible.

Eligible Persons

To qualify for assistance the applicant must be the disabled person, an owner occupier, a tenant or responsible person for a disabled child under 19 and have been referred to the Council by the Lincolnshire County Council Occupational Therapy Service or other qualifying organisation. The grant is available to help the home to be adapted to meet the needs of any disabled person living in the property and enable them to continue living there.

The Property

To qualify for assistance the property must be the primary or sole residence of the applicant and must be reasonably and practicably capable of being adapted to meet the needs of the disabled person, having regard to the age and condition of the dwelling.

Details of the Assistance

- The owner's or applicant's contribution will be determined by a means test called the 'Test of Resources', however this is not required for applications made on behalf of children under the age of 19.
- The maximum grant will be £30,000 on any one application. (This is subject to any changes made by legislation). At the Council's sole discretion, it may accept a single fixed price quotation provided by an applicant where the cost has been

established using a compliant schedule of rates. Compliant schedules of rates may include any schedule of rates negotiated through Lincolnshire's Better Care Fund arrangements or other competitively tendered schedules that accord with the Council's Contract and Procurement Procedure requirements.

- The grant will pay for the works required to meet the need of the disabled person as assessed and recommended by an Occupational Therapist from Lincolnshire County Council.
- Where the Council provides a DFG of more than £5,000 to an owner occupier, it will register a local land charge of **up to** £10,000 (capped by the total DFG value exceeding or above £5,000) under the Disabled Facilities General Consent 2008 **where** it would recover more than £1,000. Where the Council could recover less than £1,000 the cost of registration, monitoring and recovery would outweigh any repayment

The local land charge will be repayable, subject to the considerations set out within the Disabled Facilities Grant General Consent 2008, if the property is sold or otherwise disposed of within **10 years** (the maximum period set out in Regulation) of the grant works being completed.

If equipment e.g. portable ramps and stairlifts are no longer required, an assessment will be made to determine if it is possible to recycle them for another application.

Please note that any change to the law or legal framework governing the use, value or other qualification to DFG will take immediate precedence over the detail set out in this Framework.

~~Discretionary DFG~~ Discretionary Housing Assistance

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~Purpose~~

~~Discretionary DFG MAY be awarded for a wide range of purposes that support the Better Care Agenda including but not being limited to: moving to a suitable home, topping up mandatory DFG, helping reduce delayed transfers of care, helping people stay safe, warm and well and providing dementia aids and adaptations.~~

~~The maximum assistance normally available is £8,000.~~

~~The Council is however under absolutely NO obligation to award Discretionary DFG; in considering any award, the individual's/household's ability to pay will be taken into account and could be subject to DFG means testing.~~

Eligible Persons

To qualify for assistance the applicant must be the disabled person, an owner occupier, a tenant or responsible person for a disabled child under 19 and have been referred to the Council by the Lincolnshire County Council Occupational Therapy Service or other qualifying organisation. The grant is available to help the home to be adapted to meet the needs of any disabled person living in the property and enable them to continue living there or to assist with a move to a more suitable property.

The Property

To qualify for assistance the property must be the primary or sole residence of the applicant and must be reasonably and practically capable of being adapted to meet the needs of the disabled person, having regard to the age and condition of the dwelling.

Where the Council provides a discretionary DFG to an owner occupier for adaptations, it will register a local land charge where it would recover more than £1,000. Where it would recover less than £1,000 the cost of registration, monitoring and recovery would outweigh any repayment. Where any discretionary DFG is linked to a registered mandatory DFG, the full value of the discretionary grant will be registered and recoverable as a land charge.

ALL applications for discretionary DFG will be subject to the test of resources regardless of the age of the beneficiary.

This assistance is provided subject to the availability of funding and will be judged on a case by case basis.

The approval of any additional discretionary assistance can only be given by the relevant Head of Service, Director of Chief Executive who must secure consent from the relevant portfolio holder and retain a full audit trail of the circumstances and decision process.

Further information on disabled facilities grants can be found on the Lincolnshire County Council website www.lincolnshire.gov.uk or Boston Borough Council's website at www.boston.gov.uk

11 Small Works Loan Scheme for Vulnerable Households

Our Small Works Loan Scheme is designed to assist the removal of Category 1 hazards from the homes of vulnerable households who do not have the resources to pay for urgent remedial works themselves.

Please refer to the Lincolnshire Discretionary Housing Assistance Policy for further details.

Purpose

~~Subject to available resources, provide loans to vulnerable homeowners or long leaseholders (in occupation) to improve their living conditions and safeguard their health safety and wellbeing by removing serious Category 1 hazards. The normal loan limit under this discretionary policy is £5,000. However in exceptional circumstances the Council has sole discretion in making a higher award where it considers it to be reasonable, justified and proportionate to do so. In such circumstances the Head of Service, Director or Chief Executive responsible for housing renewal shall secure consent from the relevant portfolio holder and retain a full audit trail of the circumstances and decision process.~~

Eligible persons

~~The applicant must own and occupy the property (or have at least 10 years remaining on a leasehold for the property) as their sole residence and have lived there for a minimum of 3 years. The applicant must be in receipt of one or more of the following benefits; income support, income based jobseeker's allowance, pension guarantee credit, housing benefit, universal credit and income related employment and support allowance. Please note that as resources for this loan scheme are limited anyone with savings of £6,000 or greater will not be eligible for a loan even if they receive one of the benefits listed above.~~

The Property

~~Eligible works to the property must be directed towards reducing or removing Category 1 (serious) hazards as identified by a suitably qualified officer from Boston Borough Council. Where the Council does not feel that grant assistance can have a significant effect upon reducing or removing Category 1 hazards, it will refuse support and retains sole discretion to do so.~~

Details of the assistance

~~The assistance is to cover cost of works to remedy Category 1 (serious) hazards as identified using the Housing Health and Safety Rating System (HHSRS).~~

~~The normal loan limit is up to a maximum of £5,000 (see below) and will be registered as a local land charge on the property as prescribed under the Regulatory Reform Order (Housing Assistance) Order 2002. Loans will be interest free with the principal sum only recoverable through a repayment plan or as a registered land charge to which all owners must agree to be eligible. (All applicants seeking assistance via a loan from the Council are recommended to take independent legal and financial advice before entering into any repayment plan with the Council or accepting the registration of a local land charge).~~

~~Applicants will be required to obtain at least two fixed price quotations acceptable to the Council for the works and are responsible for ensuring that any professional advice necessary is sought and obtained (e.g. planning permission, buildings regulation approval etc). In cases where the applicant is particularly vulnerable the Council may be able to signpost individuals to a range of organisations who may be able to provide assistance with obtaining quotes and overseeing any works. Such services could attract a fee. The Council consider up to 10% of the total loan amount to be reasonable. Where the works and fee total more than £5,000 the applicant will be required to pay the difference to the Council before any works commence.~~

~~The applicant will be responsible for the supervision of the works and all completed works will be inspected by the Council to ensure that they accord with the works specified.~~

~~Payment of any loan will only be made when the applicant and the Council are happy that all the works have been completed satisfactorily and all relevant invoices, guarantees and certificates etc have been received.~~

~~In certain cases it is recognised that more than £5,000 might be needed to remedy serious Category 1 hazards in a property. The approval of any additional discretionary assistance can only be given by the relevant Head of Service, Director or Chief Executive who must secure consent from the relevant portfolio holder and retain a full audit trail of the circumstances and decision process. Boston Borough Council reserves the right to award or refuse any application for a discretionary loan and can withdraw this policy option at any time. Please contact the Council's Private Sector Housing Team for further advice and information on this assistance.~~

12 Empty Homes Assistance and Enforcement

Empty homes represent a wasted housing resource, are unsightly and can attract crime and anti-social behaviour and can contribute to the overall decline of an area. Maximising the number of empty homes brought back into use not only helps to increase housing supply and reduce the problems associated with them, it also currently assists the Council to attract New Homes Bonus from the government (which has been used to support some of the initiatives within this Framework. Alongside advice and information, discretionary enforcement action can assist empty dwellings to be returned into good quality homes for our residents. Options to return homes back into viable use include:

Boston Borough Council Empty Homes Loan

Boston Borough Council, may, subject to the availability of resources, be able to support an Empty Homes Loan of up to **£6,000** to eligible home owners for eligible properties. The aim of the loan is to assist owners of empty homes within Boston Borough to return their property back into use as a home by facilitating the funding necessary for repair works that make the property safe and habitable.

A brief summary of requirements for the empty home loan are as follows:

Eligible Persons

The owner must be a private individual and not a company. Where the Council is **not** satisfied that the loan, either on its own or as part of a wider funding package proposed by the owner would enable a property to be safely re-occupied then it will **not** support any application.

Details

The Council will conduct a full inspection of the empty home to identify any works required to satisfactorily remove Category 1 hazards that enable the property to be bought back into use safe use.

Empty Homes Loans will only be approved where the owner(s) of an empty home agree to a repayment plan or, where this is not affordable, agree to the Council registering a charge against the property.

Advice and information about this scheme can be obtained from Boston Borough Council on 01205 314200.

Enforcement Action

Whilst Boston Borough Council prefers to work proactively and productively with the owners of empty homes to explore how they might bring their property back into use and statutory guidance is very clear about this, sometimes advice, support and financial assistance alone are not enough. Where an owner(s) fails to engage with the Council or has not taken reasonable action or made reasonable progress to return the property back into use, the Council has a range of **discretionary** enforcement powers available to it that it **may** use to seek resolution to the matter including the use of Community Protection Warnings and Community Protection Notices. It should however be highlighted that the use of such powers are discretionary and not mandatory and the cost to the public purse will always be a relevant and material consideration.

In accordance with our Corporate Enforcement Policy we are likely to take action in the first instance to ensure empty properties remain safe and secure where problems arise. Any input beyond this will be considered on a case by case basis and may include:

Empty Dwelling Management Orders (EDMOs)

The Housing Act 2004 allows councils to temporarily take ownership of a property with the intent to bring it back into use as a rented home. Properties must have been empty for over 2 years and any leasing arrangement can last for up to 7 years. (Interim EDMOs are valid for up to 12 months and full EDMOs for up to 7 years) This type of action is best suited to properties requiring minor repairs as the Council would need to arrange for refurbishment works to be carried out and for the property to be let out with any costs being recovered from the rental income. Property ownership is not affected by EDMOs.

Enforced Sales Procedures

The Enforced Sales Procedure is a power under Section 103 of the Law of Property Act 1925. An enforced sale can only be carried out where the Council has placed a local land charge on a property for works in default (i.e. the Council has paid for works to done) because the owner cannot be traced or is unwilling to act. With an Enforced Sale the Council is able to recover reasonable costs through the sale of the property and any remaining funds after paying all the charges are paid to the owner.

Compulsory Purchase Order (CPO)

Mostly used as the last resort option where all other routes have failed. The Council can apply to acquire the property where there is a justified cause e.g. A CPO will ensure that a property is sold on, but is it a legal process that can take between 6 and 18 months. It must be noted that the Council is under NO obligation to use any discretionary power and that the use of discretionary action will be influenced by the availability of the Council's resources in the widest sense.

13 Property Redress Scheme

From 1 October 2015 it was a requirement for all letting agents and property managers to join a Government approved redress scheme. **The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc (England) Order 2014** can be found at <http://www.legislation.gov.uk>

These regulations do not provide any new powers for enforcement as these are already covered in existing consumer protection powers. However the requirement to be registered is enforceable by a Local Housing Authority.

The enforcement authority can impose a fine of up to £5,000 where it is satisfied, on the balance of probability that someone is engaged in letting or agency work and is required to be a member of a redress scheme, but has not joined. Boston Borough Council will monitor registrations to the approved schemes and where it finds agents or managers that are not registered it will contact them and give a 14 day, period of grace, for a registration to be made. If this is not done enforcement action may commence in line with the Council's Corporate Enforcement Policy.

A £5,000 will be the normal fine value with a lower amount only being charged where the Council consider there are reasonable, justifiable and proportionate extenuating circumstances. In taking any action, the Council will follow the enforcement process set out as follows:

Step 1: Notice of Intent

Boston Borough Council will give written notice of their intention to impose a penalty, setting out:

- the reasons for the penalty;
- the amount of the penalty; and
- that there is a 28 day period to make written representations or objections, starting from the day after the date on which the notice of intent was sent.

Boston Borough Council may withdraw the Notice of Intent or reduce the amount specified in the notice at any time by giving further notice in writing.

Step 2: Representations and Objections

The person who the Notice of Intent is served on has 28 days starting from the day after the date the Notice of Intent was sent to make written representations and objections to Boston Borough Council in relation to the proposed fine.

Step 3: Final Notice

At the end of the 28 day period Boston Borough Council will decide, having taken into account any representations received, whether to impose the fine and, if so, give at least 28 days for payment to be made. When imposing a fine, Boston Borough Council will issue a final notice in writing which explains:

- why the fine is being imposed;
- the amount to be paid;
- how payment may be made;
- the consequences of failing to pay;
- that there is a right to appeal against the penalty to the First-tier Tribunal and that any appeal must be made within 28 days after the imposition of the fine.

Boston Borough Council may withdraw the final notice or reduce the amount specified in the notice at any time by giving further notice in writing.

Step 4: Appeals

If an appeal is lodged the fine cannot be enforced until the appeal is disposed of. Appeals can be made on the grounds that:

- the decision to impose a fine was based on a factual error or was wrong in law;
- the amount of the fine is unreasonable; or
- that the decision was unreasonable for any other reason.

A First-tier Tribunal may agree with an enforcement authority's Notice to issue a penalty or may decide to quash or vary the Notice and fine. Appeals will be heard by the General Regulatory Chamber, further details on the appeals procedure can be found on the HM Courts website.

Step 5: Recovery of the penalty

The penalty fines received by Boston Borough Council may be used for any of its functions.

If the lettings agent or property manager does not pay any fine imposed within the 28 day period the Council can recover the fine with the permission of the Court as if payable under a Court Order. Where proceedings are necessary for the recovery of the fine, a certificate signed by Boston Borough Council's Chief Finance Officer stating that the amount due has not been received by a date stated on the certificate will be taken as conclusive evidence that the fine has not been paid.

APPENDIX A – Minimum HMO Licence Conditions and Minimum Amenity Standards

In addition to the **Mandatory** HMO Licence Conditions prescribed by the Government, Section 67 of the Housing Act 2004 provides that a '*licence may include such conditions as the local housing authority consider appropriate for regulating the management, use and occupation of the house concerned and its condition and contents*'.

This template sets out the Licence Conditions that are applicable and will be prescribed within all HMO **licenses** issued by Boston Borough Council; any additional Licence Conditions considered necessary by the Council will be bespoke to individual applications and prescribed from Condition 14 onwards. **Schedule 1** prescribes the Council's adopted Amenity Standards that will to be applied to **ALL** Houses in Multiple Occupation.

1 NUMBER OF OCCUPANTS

The maximum number of occupants who can reside in the **DWELLING** is XXX people. **Only the rooms listed below can be used for sleeping.** The maximum number of people who can occupy each room licensed as sleeping rooms are set out below.

(Clearly identify each room licensed for rooms used for sleeping and prescribe the maximum number of occupants accordingly)

The maximum number of occupants has been set in relation to the amenities available within the dwelling. The number of people who occupy rooms licensed as sleeping rooms MUST NOT EXCEED the maximum number of occupants who can reside in the DWELLING.

COMPLIANCE: This must be complied with from the date of the Licence and during the period of the Licence

AUTHORITY: Section 67(1)(a) of the Housing Act 2004 and **2018 No. 616** - The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.

2 WRITTEN TERMS OF OCCUPANCY

The licence holder must supply the occupiers of the property, on commencement of their occupancy, with a written statement of the terms in which they occupy the house. The Licence Holder must, on demand, provide the Council with a copy of the written

statement.

COMPLIANCE: This must be complied with from the date of the Licence and whenever there is a change of occupants.

AUTHORITY: Paragraph 1(5) of Schedule 4 (Housing Act 2004)

3 INVENTORY OF HOUSE CONTENTS AND STATEMENT OF CONDITION

The Licence holder must supply the occupiers of the house, on the commencement of their occupancy, with:

- (1) a written inventory of the contents of the house, and
- (2) a written statement of the condition of each room and its fittings.

The Licence Holder must, on demand, provide the Council with a copy of the inventory of contents and a copy of the statement of condition.

COMPLIANCE: This must be complied with from the date of the Licence and whenever there is a change of occupants.

AUTHORITY: Paragraph 1(5) of Schedule 4 (Housing Act 2004)

4 FIRE ALARMS AND FIRE SAFETY

The licence holder must ensure that fire alarms and fire precautions within the property meet the relevant standards set out in the LACORs guidance document, Housing – Fire Safety, 2008. The Licence Holder must comply with the relevant standards described LACORs case examples D7 – D9.

The Licence Holder must keep all alarms in proper working order and supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.

COMPLIANCE: This must be complied with from the date of the Licence and during the period of the Licence

AUTHORITY: Paragraph 1 of Schedule 4 (Housing Act 2004), as amended by the Smoke and Carbon Monoxide Alarm (England) Regulations 2015. Schedule 3 of the Licensing of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)

(England) Regulations 2006.

5 FURNITURE SAFETY

All furniture made available to the occupants of the property must be kept in a safe condition and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. On demand, the Licence Holder must submit a declaration concerning the safety of the furniture to the Council.

COMPLIANCE: This must be complied with from the date of the Licence and during the period of the Licence

AUTHORITY: Paragraph 1(3) of Schedule 4 and Section 67(1) (Housing Act 2004)

6 CARBON MONOXIDE ALARM

The licence holder must ensure that a carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation and contains a gas or solid fuel burning combustion appliance and to keep any such alarm in proper working order and to supply to the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm. The term room also includes a hall, landing, bathroom or water-closet compartment.

COMPLIANCE: This must be complied within 28 days from the date of the Licence

AUTHORITY: The Housing Act 2004 Schedule 4 Paragraph (4A).

7 LANDLORD'S GAS SAFETY CERTIFICATE - SUBMIT ON EXPIRY

Within twenty-eight (28) days of the expiry of the current landlord's gas safety certificate (or within 28 days of the date of the licence if already expired), obtain and submit to the Council a new certificate issued by a recognised engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

Carry out any remedial recommendations made and submit a new gas safety certificate issued by a recognised engineer upon completion.

A copy of the certificate must be provided to all assured shorthold tenants at the property whose tenancies began on or after 1st

October 2015.

COMPLIANCE: This must be complied with from the date of the Licence.

AUTHORITY: Paragraph 1(2) of Schedule 4 (Housing Act 2004) and the Management of Houses in Multiple Occupation (England) Regulations 2006 Regulation 6; Section 38 Deregulation Act 2015.

8 DEPOSIT PROTECTION CERTIFICATE

The licence holder must provide a copy of the deposit protection certificate (or other proof that the deposit is protected in a government approved deposit protection scheme which contains all the information prescribed by the Housing Act 2004) to all tenants in assured shorthold tenancies within 30 days of receipt of their deposit.

Copies of all current deposit protection certificates for any deposits taken at the licensed property must be provided within seven (7) days of receiving a request in writing from the Council.

COMPLIANCE: This must be complied with from the date of the Licence and whenever there is a change of occupants.

9 CHANGES TO PERSONAL CIRCUMSTANCES

The Licence Holder must advise the Councils Private Sector Housing Section in writing of any change to the circumstances of each person (except any mortgage provider) named on the licence application form if the new circumstances are likely to affect the ability of such a person to carry out any function concerning the operation or management of the HMO.

COMPLIANCE: This must be done within fourteen (14) days of a permanent change occurring.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004

10 CHANGES WITHIN THE PROPERTY

The Licence Holder must advise the Council's Private Sector Housing Team in writing of any change in the property (apart from the change of occupants) that is likely to affect the operation or management of the HMO.

COMPLIANCE: This must be done within fourteen (14) days of a permanent change occurring.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004

11 DISPLAY A COPY OF THE LICENCE

The Licence Holder must prominently display a copy of the HMO Licence in the property. It shall be located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the

12 REFUSE STORAGE FACILITIES AND PRESENTATION

Provide suitable storage facilities for refuse and recycling both **in and outside the property**. The number and type must be adequate for the requirements of each household pending disposal of the waste.

The presentation of waste and provision for its collection must comply with the requirements published on Boston Borough Councils website/Waste and Recycling Policy, further details can be found at www.boston.gov.uk . At no time should the waste or the waste receptacles from the licensed property obstruct the free passage along a highway and it is an offence under Section 137 of the Highways Act, 1980 to obstruct such free passage. Allowing any refuse or refuse receptacles to cause an obstruction may constitute a breach of this condition.

COMPLIANCE: This must be done from the date of the Licence and during the period of the Licence

AUTHORITY: The Management of Houses in Multiple Occupation (England) Regulations 2006 and **2018 No. 616** - The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.

13 MANAGEMENT

The Licence Holder **MUST**, throughout the duration of the licence period, be able demonstrate to the Council that they and/or their agent and/or their manager have sufficient competence and finance to effectively manage the property and address ALL management, maintenance, responsive repairs and emergency repairs within appropriate timescales. Failure to be able to demonstrate these requirements upon demand could result in, but are not limited to, the issue of a Civil Penalty, the addition of further licence conditions or the revocation of the Licence.

COMPLIANCE: Satisfactory arrangements must be in place prior to the grant of a Licence and throughout its duration. Evidence of these requirements shall be submitted to the Council within 21 days of any request.

AUTHORITY: Section 66(6)(a-c) of the Housing Act 2004

14 ADDITIONAL CONDITIONS

(INSERT ALL RELEVANT ADDITIONAL CONDITIONS HERE)

Notes: Despite these licence conditions being prescriptive, they do not preclude assessment of the property under Part 1 of the Housing Act 2004 (Sections 4, 5 and 7) nor do they have any bearing on the need to comply fully with the Management of Houses in Multiple Occupation (England) Regulations 2006 and **ALL** other prevailing requirements.

Schedule 1 – Minimum Amenity Requirements for Houses in Multiple Occupation

Bathroom Requirements

Occupiers:	3-5	6	7 - 9	10	11-12	13-15
Shared wash Hand Basins (with splash back)	1	2	3	4	5	5
Shared WCs	1	2	2	2	3	3
		At least one WC should be in its own room (or in an additional bathroom)			At least two WCs should be in their own room (or in additional bathrooms)	
Shared Baths or Showers	1	2	2	2	3	3
		-			Need to be in separate bathrooms or shower rooms.	
Ventilation	A mechanical extraction fan in accordance with Building Regulation requirements					

The above table relates to numbers of occupants **sharing an amenity**, which may not necessarily be the same as the total number of occupiers. For example, if there are five occupiers but one has a basin in their unit for their exclusive use, a single shared basin for the remaining four occupiers would meet the standard.

All rooms in which a toilet is located shall have a wash hand basin in the same room. This wash hand basin shall not be included in the calculation above unless it is of a size that is suitable for personal washing (minimum 500mm x 400mm)

Kitchen Requirements:

Kitchen size:

3-5 occupants – 7m²

6-7 occupants – 9m²

8 to 10 occupants – 11m²

No kitchen shall be shared by **more than 10 occupants** irrespective of its total floor area.

Kitchen Facilities

Item	Shared House HMO
Cooker	One oven, grill and 4 ring cooker for 3 to 5 occupants. Two oven, grill and 4 ring cookers for 6 to 10 occupants.
Microwave/Mini Cookers	Optional - may allow extra sharing of cooking facilities for up to six occupants at the Council's discretion.
Kitchen sink	Sink and drainer with hot and cold water supply for 3 to 5 occupants. Two Sinks and drainers with hot and cold water supply for 6 to 10 occupants. Provision of a Dishwasher may allow additional people to share one set of sink and drainer facilities at the Council's discretion.
Worktop	Depth - min 500mm. Length - 0.5m per person for first 3 occupants plus 0.25m for each additional occupant as a minimum.
Electrical sockets over worktop	Two twin power outlets located in a safe position for 3-5 occupants (excluding those in use for fixed appliances eg cooker, fridge, freezer, fridge freezer, dishwasher, washing machine or tumble dryer). Two additional twin power outlets, excluding those for fixed appliances, for 6-10 occupants.
Dry Food storage (ie unopened foods not requiring refrigeration)	Minimum 500mm x 700mm x 290 mm storage unit for each occupant appropriately located .
Fridge (with freezer compartment or separate freezer)	Appropriately sized fridge with freezer compartment for every 5 occupants.
Ventilation	A mechanical extraction fan in accordance with Building Regulation requirements.

Dining Provision

The Council will consider the location and suitability of dining space on a case by case basis. Licence conditions may be applied to control provision of dining space in licensable HMOs and other enforcement routes may be used in other HMOs.

Note: Whilst consideration will be given to the circumstances of each case, these standards will generally be enforced as the minimum acceptable. Even where these minimum standards are exceeded, Category 1 or 2 Hazards may still exist and the Council may still take reasonable, justified and proportionate action.

APPENDIX B - Fees and Charges

Houses in Multiple Occupation Charging Policy

The Council’s HMO Licence Fee from the date this Policy Framework is adopted is set out below. This fee will be reviewed at least annually and published by the Council. Such publication will supersede the fee below. In order for the Council to be able to accord to the requirements of the European Services Directive , the fee can be paid in two parts, the Part 1 fee must be paid at the point of application for it to be valid, and the Part 2 fee paid prior to the issue of a Licence. In the event the Council refuse an application, the Part 2 payment will not be levied. No refunds will be given for either Part of the payment once received.

The fee calculation is set out below:

Action or activity	Administration time in Hours of pre-determination processes	Technical Time in Hours of pre-determination processes	Administration time in hours of post-determination processes	Technical Time in Hours of post-determination processes
Advice, guidance, web updating and general promotion	0.33			
Receive and validate application - check all supporting evidence is present and valid, reference address against the LLPG, check Rogue Landlord database, check Home Office Civil Penalty database, validate all application codes into IT system, Process receipt of payment and align to payee account, refer valid applications to case officer for technical assessment of documentation, plans and fit and proper person..	2			

Request and process any outstanding information to the point of making the application valid; referring to case officer upon validation.	0.5			
Assess technical compliance of certification, assess management arrangements and undertake compound fit and proper person test.		1		
Schedule and confirm inspection arrangements and appointment time with applicant, agent and officer.	0.5			
Carry out whole house inspection including ACCURATELY measuring all rooms used for sleeping (time includes travel time)		3		
Determine intention to licence/refuse; Determine licence conditions including assigning occupancy levels to each room used for sleeping, prepare draft licence with all conditions and serve Notice of Intention Licence/Refuse		2		
Receive and consider representations to Notice of Intention to Licence - if it is to be granted, pass to Support team to raise Invoice, if not, issue refusal clearly setting out all grounds.		0.75		
Require Part B payment, monitor payment.	0.5			

Complete licence documentation and issue after Part B payment received.		0.5		
Update Public HMO Register			0.25	
Desktop monitoring of certification years 2-5 (includes time obtaining certification etc)			4	4
2 X compliance Inspections - years 2 and 4				5
Other Compliance and monitoring over the period of the licence				
Total Hours	3.83	7.25	4.25	9
Additional Costs per application assuming 500 Applications	Total	Per Application		
IT Costs over 5 years	40,000.00	80.00		
Time spent by 'management' not included within recharges including scheme development, review, reporting and oversight:				
Pre determination (75 hours Housing Strategy Manager; 50 Hours Head of Service) PER ANNUM	27,961	56.00		
Post determination (75 hours Housing Strategy Manager; 50 Hours Head of Service) PER ANNUM	27,961	56.00		
Process of initial application cost – Part 1 fee	£479			
Post approval application costs – Part 2 fee	£469			

Total licences assumed to be issued over five years - 500		
	TOTAL LICENCE FEE	£948

There are no discounts available. No refunds will be given if the property is disposed of during the term of the licence. Should the property pass into new ownership and a licence is still required a new full licence fee will be chargeable.

In addition to requirements set out within the Housing Act 2004 and other legislation, the Council may be asked to inspect properties for a range of other purposes. Where such requests can be accommodated and are not in conflict with the Council’s role and purpose, properties may be assessed in accordance with HHSRS and relevant report made for a fee of **£95.00 per** hour or part thereof. This fee will be reviewed at least annually and published by the Council. Such publication will supersede this published fee.

Penalty Charge Notice- Failure to comply with the requirements of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

These regulations place a responsibility on landlords to ensure that domestic rental properties let on a new tenancy after 1st April 2018 have an Energy Efficiency Certificate (EPC) rating of not less than an E. Properties with EPC rating of F & G should not be let until suitable remedial works have been undertaken. In addition from 1st April 2020 it is an offence to continue to let such a property, even where a tenancy is already in place. However both are subject to certain exemptions.

Where the Council has reasonable grounds to believe that a landlord has failed to fulfil their duties under these regulations, the Council can take the following action.

Compliance Notice – this notice can be used in circumstances where the Council requires the landlord to provide specified documents in order to determine the current efficiency banding and tenancy.

Penalty Notice – where the Council is satisfied that an offence has been committed, a notice can be issued requiring the landlord to pay a financial penalty of such amount as decided by the Council, and to carry out such works as may be required in order to ensure the regulations are being complied with.

Boston Borough Council has determined that the following amounts will be charged.

Where a landlord fails to comply with a Compliance Notice:-

First occasion – £ 500

Second occasion - £ 1000

Third and any subsequent occasions - £ 1500

Where a landlord has registered false or misleading information:-

First occasion – £ 500

Second occasion - £ 750

Third and any subsequent occasions - £ 1000

Where a landlord has let a property in contravention of these regulations:-

If the breach is for less than 3 months –

First occasion – £ 1000*

Second occasion - £ 1500*

Third and any subsequent occasions - £ 2000*

If the breach is for 3 months or more –

First occasion – £ 1500*

Second occasion - £ 2500*

Third and any subsequent occasions - £ 4000*

(*A 50% discount will be offered where a landlord completes any specified work by the required date)

Penalty Charge Notice- Failure to comply with The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The above regulations place a responsibility on landlords to ensure that Electrical Safety Standards within rented properties are met during any period that the property is occupied. This includes a requirement that the installation is inspected/tested by a suitably qualified person at intervals of no more than 5 years (or less if specified within the previous report), and to undertake such further investigative or remedial work as may be identified within that report.

Copies of the report must also be provided to new occupants before that tenant occupies the property, to existing tenants within 28 days of the inspection and test, and to the Council within a period of 7 days of receiving a request to do so.

Where the Council has reasonable grounds to believe that a landlord has failed to fulfil their duties under these regulations, the Council must serve on that landlord a Remedial Notice requiring the landlord to take remedial action within 28 days.

Should a landlord fail to comply with this notice, the Council may arrange for a suitable contractor to carry out the work, and in addition may require the landlord to pay a financial penalty of such amount as the authority may determine. The amount of the penalty charge must not exceed £30,000.

Boston Borough Council has determined that where a landlord fails to fulfil his obligations under these regulations, the following Financial Penalties will be applied.

Failure to supply a certificate to the Council following a formal request to do so - £360

Failure to ensure that an inspection/test was carried out by the required date (as specified within Section 3(1)(c) of the Act - £500

Failure to comply with the requirements of a Remedial Notice –

First occasion – £1000

Second occasion - £2500

Third occasion - £5000

Fourth and any subsequent occasions - £7500

Failure to carry out Urgent Remedial Action within the specified period –

First occasion – £3000

Second occasion - £6000

Third occasion - £10000

Fourth and any subsequent occasions - £20000

Charging for Enforcement Action

Under Section 49 of the Housing Act 2004, the Council may make a reasonable charge for enforcement action as a means of recovering the expenses incurred in serving a Hazard Awareness Notice, an Improvement Notice, a Prohibition Order or a Demolition Order (including suspended orders). The charges in force at the point of publication are set out below. Charges will be reviewed at least annually and published accordingly. Published figures will supersede those set out here.

Relevant enforcement charges are:

Notice/Order	Charge	Based on
Hazard Awareness Notice (owner occupier)	No charge	N/A
Hazard Awareness Notice (private rented sector)	£100	Inspection; HHSRS scoring, drafting notice

Improvement Notice; Prohibition Order; Demolition Order;	£200 (Notice/Order for one hazard)	Inspection; HHSRS scoring, drafting notice and schedules, serving notice and securing payment
As above	£60 (for each additional hazard included within the Notice/Order)	Calculating HHSRS score and drafting schedules

APPENDIX C - Table of Financial Assistance and Conditions

Local Housing Authorities have a general power to give financial assistance for home repair, improvement and adaptation. In accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 councils are able to give assistance under these powers and in accordance with a published policy.

Boston Borough Council’s financial assistance policy promotes the property owners responsibility to repair and improve their homes while providing support to vulnerable homeowners, the disabled and those committed to bringing empty properties back into use. A summary of the financial assistance options that may be available is shown on the following pages:

Assistance Type	Summary Criteria	Who can apply	Eligible work	Amount eligible	Repayment Conditions
Empty Homes Loan (See Section 7 for more details)	Residential property must have been empty at least 6 months at the point of grant application	Owner of the property	Capital repairs to remedy Category 1 Hazards that enable a home to be safely reoccupied	Maximum eligible - £6,000	Repayment Plan/Registered Charge against property where this is not affordable
Small Works Loan Scheme (See Section 6 for more details)	Residential property must present one or more serious Category 1 hazards as assessed under the HHSRS	Owner occupiers or long leaseholders in occupation Eligible occupants must have been in residence for at least 3 years prior to application	Works of repair or improvement to remove serious Category 1 hazards	Up to normal maximum of £5,000 per grant (although the Council can consider additional funding in exceptional circumstances)	Repayment Plan/Registered Charge against property where this is not affordable

<p>Mandatory Disabled Facilities Grant</p> <p>(See Section 5 for more details)</p>	<p>A permanent legal residence which is the primary or sole residence of the applicant(s)</p>	<p>Any disabled person who is an owner occupier, tenant or licensee, or the person responsible for a disabled child under 19. All applicants must be subject to a qualifying referral from the Lincolnshire County Council Occupational Therapy Service. Relevant applications are subject to a means test.</p>	<p>Essential work to provide access to facilities for personal care, including bedroom and kitchen facilities and works to improve safety and accessibility</p>	<p>Maximum eligible grant by regulation is £30,000</p>	<p>Where the Council provides a DFG of more than £5,000 to an owner occupier, it will register a local land charge of up to £10,000 (capped by the total DFG value) under the Disabled Facilities Grants Regulations 2008 where it would recover more than £1,000. Where the Council could recover less than £1,000 the cost of registration, monitoring and recovery would outweigh any repayment.</p>
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Discretionary Disabled Facilities Grant Assistance (See Section 5 for more details)	A permanent legal residence which is the primary or sole residence of the applicant(s)	Any disabled person who is an owner occupier, tenant or licensee, or the person responsible for a disabled child under 19. Applications may be subject to a means test	Discretionary DFG MAY be awarded for a wide range of purposes that support the Better Care Agenda including but not being limited to: moving to a suitable home, topping up mandatory DFG, helping reduce delayed transfers of care, helping people stay safe, warm and well and providing dementia aids and adaptations.	Maximum eligible grant is normally £8,000	Where the Council provides a discretionary DFG to an owner occupier for adaptations, it will register a local land charge where it would recover more than £1,000. Where it would recover less than £1,000 the cost of registration, monitoring and recovery would outweigh any repayment. Such registration may be additional to any charge registered in relation to Mandatory DFG.
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It must be noted that any discretionary assistance identified in this policy framework will be subject to the availability of funding and other resources and can be withdrawn at anytime by the Council.

Other forms of assistance

Where we are unable to provide financial assistance to occupiers and where there is no imminent risk to health and safety to the individual we will provide advice and guidance about other agencies/organisations that may be able to provide support or assistance. There are sometimes Government led initiatives aimed at improving housing standards e.g. energy efficiency.

General Conditions of Assistance

The term assistance means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement and adaptation. This may include a grant, an improvement scheme in which people are invited to participate, a loan of other form of financial assistance, whether provided directly or indirectly. Condition means any condition(s) attached to the assistance.

Where stated, any financial assistance and any related conditions will be secured as a legal charge against the property (in the case of disabled facilities grants this would not apply to the tenant of a registered housing provider).

Any charge will not be removed until either all the conditions expire or until the assistance is repaid, together with any interest or additional charges apply. A breach of any conditions could also see the Council using existing powers and remedies to enforce the charge and secure payment of any amount due.

A charge against the property is binding on any person who is for the time being an owner of the premises concerned. Where any condition(s) is in force the Council may require the person responsible to provide any information to satisfy the Council that the condition(s) is being complied with. Failure to comply with a request for information within a reasonable time period and in the form required by the Council will be deemed a breach in itself and thus any assistance must be repaid to the Council. It is the responsibility of the person responsible to prove the condition is being complied with to the Council's satisfaction. Failure to do so will be treated as a failure to comply with the condition. The Council does not therefore have the burden of having to prove that any condition is not being complied with.

No applications for financial assistance will be considered where the relevant work has been started or completed. The approval of assistance does not imply or give the Council's approval of any other consents that might be required. e.g. planning permission or building regulations. It is the responsibility of the applicant to obtain any consents that are required.

Conditions will generally be enforced in all cases. Any money repaid or recovered will be recycled into the Council's capital programme for private sector housing renewal.

Glossary to Boston Borough Private Sector Housing Policy Framework

Better Care Fund	The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible
Category 1 hazards	The most serious hazards as identified using the Health and Housing Safety Rating System. Councils are required to act if they find Category 1 hazards in or around a property
Disabled Facilities Grants	A grant from a local authority to help towards the costs of adapting a property to meet the needs of a disabled person. A person could be classed as disabled and thus eligible for a grant if they are substantially physically disabled, have a mental disorder or impairment, or a substantial impairment of hearing, speech and sight
HHSRS	The Housing Health and Safety Rating System is a method for assessing hazards in 29 different categories that could affect the health, safety and wellbeing of occupiers and visitors in and around a property.
Household	One person living alone or a group of related people living together
House in Multiple Occupation (HMO)	A dwelling house occupied by more than one household
Licensable HMO	A dwelling house containing 5 or more people forming 2 or more households who share basic amenities
Local Land Charge	A charge binding on owners/occupiers in relation to a particular property or piece of land

New Homes Bonus

Government Grant scheme incentivising councils to increase the number of homes in their area by giving the equivalent of 6 years council tax as a grant for each extra dwelling developed, created by conversion or brought back into use

Redress Scheme

Introduced in October 2014 by Government requiring letting agents and property managers to register. Anyone who feels they get a poor deal from their letting agent will then be able to take their complaint to the redress scheme, and could receive compensation.

Regulatory Reform Orders

Secondary legislation using authority delegated to a MP Committee usually used to amend primary legislation passed by an act of parliament

Version Control

VERSION SERIALISATION	REASON:	EFFECTIVE FROM:	AMENDED BY: POSITION AND DATE	APPROVED BY: POSITION AND DATE	PUBLISHED ON:
Version 1.0	Implementation of Version 1.0	9 July 2018		Cabinet, 27 June 2018	9 July 2018
Version 1.1	Addition of Banning Order section at Section 5, page 19.	17 September 2018	Head of Regulatory Services	Head of Regulatory Services and Housing Portfolio	17 September 2018
Version 1.2	Addition of fees and charges for Energy Efficiency Regulation 2015 & Electrical Safety Standards Regulations 2000	7 th December 2022	Service Manager – Safer Communities	Cabinet, 7 th December 2022	8 th December 2022
Version 1.3	Adoption of the Lincolnshire Discretionary Housing Financial Assistance Policy	TBC - on adoption of the Lincolnshire DHFA Policy	Strategic Housing Manager for the SELCP	TBC - Cabinet	TBC

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POLICY TITLE

South Holland Housing Financial -Assistance Policy – Individual Scheme Details

REVISION DATE

17.03.2020 - TBC on adoption of the Lincolnshire Discretionary Financial Assistance Policy

REPLACES POLICY

Replaces Community Housing Renewal Policy 2006

POLICY AIM

- Increase in the District of both sustainable and suitable accommodation for vulnerable persons.
- An increase in the health and well-being of citizens of South Holland and the reputation of the Council.
- To support residents and tenants of South Holland through targeted financial assistance, preventing homelessness and sustaining and maintaining tenancies.

INDIVIDUAL SCHEME DETAILS

1. Mandatory Disabled Facilities Grants

Purpose: Local housing authorities have a statutory duty to provide grant aid to disabled people to undertake a range of adaptations to their homes.

Mandatory disabled facilities grants will be administered per the provisions of the Housing Grants, Construction and Regeneration Act 1996. The following provides a summary of these provisions but should be read in conjunction with the full Act.

Maximum amount: The maximum amount is £30,000.

Applicant eligibility: There is no age restriction for this grant. All applicants must be eligible under the Act and there are no age restrictions.

Applications must be supported by a recommendation from an Occupational Therapist confirming that the person is disabled for the Act and that the proposed works are necessary and appropriate to meet the needs of the disabled person.

Eligible works: The relevant works must be necessary and appropriate to meet the needs of the disabled occupant and it must be reasonable and practicable to carry out the works having regard to the age and condition of the property.

The purposes for which a grant must be given are detailed in section 23 of the Housing Grants Construction and Regeneration Act 1996.

Any associated fees e.g. technical surveys, obtaining proof of title etc. will be included in the total assistance amount.

Financial assessment: The grant is subject to a formal means test per the Housing Renewal Grants Regulations 1996 to determine the customer's contribution towards the cost of the works.

Eligible works for a child **will not be subject to a formal means test.**

The maximum grant including any contribution must not exceed £30,000.

Application: Applications must be made in the relevant format and supported by a referral from an Occupational Therapist.

The Council will consult the Social Services Authority on all applications.

Applications may be made by owner-occupiers, private tenants and Registered Providers of Social Housing.

Tenants of South Holland District Council can apply for mandatory disabled facilities grants but funding for any works comes from an allocation set aside in the Housing Revenue Account.

The Council will select the contractor from an approved Framework. If the applicant chooses to use their contractor, a minimum of two estimates must be submitted with the application.

Works must not commence until formal approval of the grant has been received by the applicant.

Payment: Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.

In some instances, payments may be made in instalments and the balance (no less than 10% of the total cost of the eligible works) paid on satisfactory completion.

The applicant must agree and sign that they are satisfied with the quality of the work before payment.

If the applicant refuses, the Council will inspect the work and if it believes it is of a sufficiently good standard the payment will be made.

Conditions: Written consent from the owner(s) of property must be obtained before works commencing.

The Council may remove items of equipment e.g. modular ramps and stair lifts from the property for re-use when they are no longer required by the disabled person.

This will be considered on a case by case basis dependent on the age and condition of the item.

Where the items are not considered appropriate for re-use it will be the responsibility of the householder/property owner to remove any items at their own cost.

Where the Council provides funding above £5,000 that creates additional living space e.g. an extension or conversion of a garage or outbuilding, and where the applicant has an owner's interest in the property, this will be registered as a local land charge against the adapted property, subject to a maximum of £10,000.

If the property is disposed of within 5 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.

The Council will not pay for any additional works carried out without prior approval.

All works must be completed within 12 months of approval.

2. Top Up of Mandatory Disabled Facilities Grant

Purpose: To provide discretionary financial assistance to a disabled person who qualifies for a mandatory disabled facilities grant where the cost of the eligible works exceeds the mandatory grant maximum of £30,000.

Please refer to the [Lincolnshire Discretionary Housing Financial Assistance Policy for further details](#)

~~Maximum amount: The maximum top-up is £30,000.~~

~~Applicant eligibility: There is no age restriction for this grant. This a discretionary grant and is subject to approval and or suspension.~~

~~Applicants must have an owner's interest in the property and the disabled person (if different) must qualify for a mandatory disabled facilities grant where the value of the eligible works (including the client contribution and any fees if applicable) exceeds the mandatory grant maximum.~~

~~However, Applicants who receive the discretionary 'Moving on assistance' grant will not be eligible for this grant.~~

~~Eligible works: Works funded by the top-up must be eligible works which are necessary and appropriate to meet the disabled person's needs as defined by the Housing Grants Construction and Regeneration Act 1996.~~

~~Financial assessment: The top-up will be subject to a formal means test using the prescribed test of resources applicable to mandatory disabled facilities grants.~~

~~Where the disabled person is a child, the parents/guardians may be means-tested.~~

~~Applications: Applications will be considered alongside an application for a mandatory disabled facilities grant.~~

~~Payment: The discretionary top-up will be paid as an additional amount to the mandatory disabled facilities grant under the same payment conditions.~~

~~Conditions: Where the applicant has an owner's interest in the property, the discretionary top amount will be registered as a local land charge against the adapted property.~~

~~If the property is disposed of within 5 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.~~

~~Works must not commence until formal approval of the discretionary assistance and mandatory grant have been received by the applicant.~~

3. Discretionary Disabled Adaptations Assistance

Purpose: To provide discretionary financial assistance for disabled occupants who do not have the financial resources to pay for necessary adaptations to help support them to remain independent in their home. The discretionary assistance will fund minor works for those eligible for a mandatory disabled facilities grant.

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~Maximum amount: The maximum amount of assistance is £10,000.~~

~~Applicant eligibility: There is no age restriction for this grant. This a discretionary grant and is subject to approval and or suspension.~~

~~The disabled occupant must be eligible under the provisions of the Housing Grants Construction and Regeneration Act 1996.~~

~~Applications must be supported by a referral from a Lincolnshire County Council Occupational Therapist.~~

~~Eligible works: The relevant works must be necessary and appropriate to meet the needs of the disabled occupant and it must be reasonable and practicable to carry out the works having regard to the age and condition of the property.~~

~~The purposes for which a grant may be given are those detailed in section 23 of the Housing Grants Construction and Regeneration Act 1996.~~

~~Any associated fees e.g. technical surveys, obtaining proof of title etc. will be included in the total assistance amount.~~

~~Financial assessment: There will be no formal means testing. The following criteria will be applied: -~~

- ~~• Less than £16,000 capital, savings and investments~~
- ~~• Then either for single income no more than £13,400 per annum~~
- ~~• Couple with or without children and single with children then income for customer and partner combined of no more than £20,000 per annum.~~

~~Payment: Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.~~

~~The applicant must agree and sign that they are satisfied with the quality of the work before payment.~~

~~If the applicant refuses, the Council will inspect the work and if it believes it is of a sufficiently good standard the payment will be made.~~

~~Conditions: Written consent from the owner(s) of property must be obtained before works commencing.~~

~~The applicant will self-declare income & saving levels.~~

~~The Council may remove items of equipment e.g. modular ramps and stairlifts from the property when they are no longer required by the disabled person for re-use.~~

~~This will be considered on a case by case basis dependent on the age and condition of the item.~~

~~Where the items are not considered appropriate for re-use it will be the responsibility of the householder/property owner to remove any such items at their own cost.~~

~~Only one application for discretionary assistance will be considered in any 12 months (taken from the date of approval).~~

~~The Council will not pay for any additional works carried out without prior approval.~~

~~Where the discretionary funding is no longer available, applications will be considered under the provisions of a mandatory disabled facilities grant.~~

4. Moving on Assistance

Purpose: This discretionary assistance enables disabled people who would be eligible for mandatory disabled facilities grants to move to more suitable accommodation, where it is considered more appropriate than providing funding through mandatory disabled facilities grant to adapt their existing home.

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~Maximum amount: The maximum amount is £10,000 and may be used in conjunction with a mandatory disabled facilities grant to undertake eligible works to the new property.~~

~~Applicant eligibility: There is no age restriction for this grant. Any disabled person who would be eligible for adaptation works under a mandatory disabled facilities grant. This a discretionary grant and is subject to approval and or suspension.~~

~~Qualifying criteria: A referral for adaptation of the existing property must have been received from an Occupational Therapist.~~

~~In the Council's opinion, the existing property must be unsuitable for adaptation, in that it is not reasonably and practicably capable of being adapted to meet the needs of the disabled person.~~

~~The applicant must have or propose to have an owner's interest in the new property. The existing and new properties must be within South Holland District Council's area and be the permanent, main residence of the disabled occupant.~~

~~In the opinion of the Council and in conjunction with the Occupational Therapist, the new property must be considered suitable for the needs of the disabled person or must be reasonably and practicably capable of being adapted to meet the needs of the disabled person.~~

~~The assistance can be used for the following eligible costs:~~

- ~~• Legal and ancillary fees~~
- ~~• Estate agent fees~~
- ~~• Removal costs~~

~~Financial assessment: The assistance is subject to the prescribed test of resources applicable to mandatory disabled facilities grants.~~

~~Where the disabled person is a child, the parents/legal guardians may be means tested.~~

~~Payment: Payment will be made to the applicant's solicitor on the exchange of contract so that funding is available for completion. Evidence of the fees will be required before payment.~~

~~Conditions: This discretionary assistance may only be awarded once.~~

~~Where an award has been made under this policy and before the exchange of contracts and the disabled person is no longer able to relocate to the new property e.g. they have moved into permanent care or deceased, the Council may decide to pay all, some or none of the assistance.~~

~~The amount of the discretionary funding will be secured by attaching a local land charge on the new property.~~

~~If the property is disposed of within 5 years of the completion of the purchase (as determined by the Council), re-payment of the amount will be required.~~

5. Hospital Discharge Assistance

Purpose: This assistance is for people in a hospital whose discharge is delayed due to the condition of their home.

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~The assistance may fund urgent adaptations that allow access in and around the person's home by providing stair lifts or ramps.~~

~~Other minor works which are needed to facilitate their discharge from hospital will also be considered e.g. one-off clearance of hoarded properties and works to heating systems.~~

~~Maximum amount: The maximum grant is £10,000~~

~~Applicant eligibility: There is no age restriction for this grant. The applicant must be in a hospital and their discharge delayed.~~

~~The application must be accompanied by a referral from a hospital Occupational Therapist or other suitably qualified professional confirming the urgent works that are required to the home to enable discharge.~~

~~The property subject to the application must normally be occupied by the applicant permanently.~~

~~Eligible works: Eligible works can include, but not exclusively and works will be determined on a case by case basis which will facilitate the hospital discharge:~~

- ~~• Stair lifts~~
- ~~• Ramps and door widening to the essential doorways~~
- ~~• Heating repairs or improvements~~
- ~~• Clearance and one-off deep clean of hoarded goods~~

~~Financial assessment: This assistance is not subject to a means test.~~

~~Payment: The Council will appoint contractors to undertake the work and will pay them directly on the production of satisfactory invoices.~~

~~The applicant must agree and sign that they are satisfied with the quality of the work before payment.~~

~~If the applicant refuses, the Council will inspect the work and if it believes it is of a sufficiently good standard the payment will be made.~~

~~Conditions: Written consent from the owner(s) of property should be obtained before works commencing, however, if no structural works are being undertaken this will not be necessary, e.g. cleaning a property.~~

~~If the cost of the works exceeds the maximum financial assistance the Council will liaise with the Occupational Therapist and/or relevant professionals to determine the priority works.~~

~~The Council will not pay for any additional works carried out without prior approval.~~

6. Safe, Warm and Well

Purpose: This assistance is for owner-occupiers over the age of 65 or those with chronic or severe health conditions affected by poor housing conditions who need to undertake essential repairs to their home to remain safe and healthy.

[Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details](#)

~~Maximum amount: The maximum amount is £10,000.~~

~~Applicant eligibility: The applicant must be an owner-occupier or private tenant with a full repairing responsibility. This a discretionary grant and is subject to approval and or suspension.~~

~~The applicant or a family member living with them must be an occupier over the age of 65 or have a chronic or severe condition exacerbated by the cold or poor housing conditions.~~

~~Evidence of the condition will be required e.g. letter/referral from a General Practitioner or other relevant health professional.~~

~~Examples of relevant conditions include:~~

- ~~• Arthritis (osteo and rheumatoid, requiring regular treatment and review)~~
- ~~• Cardiovascular disease (for example heart disease or stroke)~~
- ~~• Respiratory disease (for example chronic bronchitis, severe asthma, emphysema or chronic obstructive pulmonary disease)~~

~~Eligible works: Essential repairs are determined as a Category 1 (serious) or significant Category 2 (other) hazards as determined by the Housing Act 2004, which affects the ability of the property to be safe, wind and weatherproof. This a discretionary grant and is subject to approval and or suspension.~~

~~Examples of works may include:~~

- ~~• Heating repairs or replacement~~
- ~~• Works to prevent falls~~
- ~~• Roof repairs~~

~~Any associated fees e.g. technical surveys, obtaining proof of title etc. will be included in the total assistance amount.~~

~~All properties will be subject to inspection and assessment by the Council or its agent.~~

~~Financial assessment: There will be no formal means-testing.~~

~~The following criteria will be applied:–~~

- ~~• Less than £16,000 capital, savings and investments~~
- ~~• Then either for single income no more than £13,400 per annum~~
- ~~• Couple with or without children and single with children then income for customer and partner combined of no more than £20,000 per annum~~

~~Payment: The Council will appoint a contractor to undertake the eligible works.~~

~~Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.~~

~~The applicant must agree and sign that they are satisfied with the quality of the work before payment.~~

~~If the applicant refuses, the Council will inspect the work and if it believes it is of a sufficiently good standard the payment will be made.~~

~~Conditions: The applicant must have lived in the property for a minimum of 12 months as their main residence.~~

~~Written consent from the owner(s) of property must be obtained before works commencing.~~

~~The applicant will self-declare income & saving levels.~~

~~Only one application for assistance will be considered within any 3 years (further applications may be considered at the discretion of a relevant senior officer in exceptional circumstances).~~

~~The Council will not consider applications in respect of dwellings which have been built or converted less than 10 years from the date of application.~~

~~Where works beyond the maximum assistance value are identified, the assistance will be prioritised based upon the hazard score and circumstances of the applicant.~~

~~Works must be reasonable and practicable having regard to the age and condition of the property.~~

~~Where the applicant has an owner's interest in the property, this will be registered as a local land charge against the adapted property.~~

~~If the property is disposed of within 5 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.~~

~~The Council will not pay for any additional works carried out without prior approval.~~

7. Central Heating Scheme

Purpose: The scheme will provide a Central heating system of suitable design and installation a homeowner with vulnerable occupiers, where previously there has been no such system, or where the existing system, in the opinion of the contractor/surveyor, cannot

be effectively repaired at reasonable cost or where it has been condemned by a suitably competent person.

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~Maximum amount: The maximum amount is £10,000.~~

~~Applicant eligibility: The applicant must be an owner-occupier. The property must have an EPC rating of D or below. This is a discretionary grant and is subject to approval and or suspension.~~

~~The applicant must be over the age of 65 or the property have children 14 years or under or have an occupier with a chronic or severe condition exacerbated by the cold or poor housing conditions.~~

~~Declaration of the condition will be required.~~

~~Examples of relevant conditions include:~~

- ~~• Arthritis (osteo and rheumatoid, requiring regular treatment and review)~~
- ~~• Cardiovascular disease (for example heart disease or stroke)~~
- ~~• Respiratory disease (for example chronic bronchitis, severe asthma, emphysema or chronic obstructive pulmonary disease) Eligible works: Due to the possible vulnerable nature of the recipients of the scheme it is proposed that the scheme will be a one-stop-shop that caters for but not limited to:~~
- ~~• Design and Installation and first annual service of a whole house Central Heating System to meet the needs of the homeowner/occupier~~
- ~~• Associated electrical check and upgrade to comply with Building Regulations and Manufacturer's instructions~~
- ~~• Associated building work/Access as required~~
- ~~• Where necessary the Moving/Storage of furniture, removal and relaying of carpets~~
- ~~• Where disturbed the making good of internal decoration in line with the works carried out.~~

~~Any associated fees e.g. technical surveys, obtaining proof of title etc. will be included in the total assistance amount.~~

~~All properties will be subject to inspection and assessment by the Council or its agent.~~

~~Financial assessment: There will be no formal means-testing.~~

~~The following criteria will be applied:-~~

- ~~• Less than £16,000 capital, savings and investments~~
- ~~• Then either for single income no more than £13,400 per annum~~
- ~~• Couple with or without children and single with children then income for customer and partner combined of no more than £20,000 per annum~~

~~Payment: The Council will appoint a contractor to undertake the eligible works. Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.~~

~~The applicant must agree and sign that they are satisfied with the quality of the work before payment.~~

~~If the applicant refuses, the Council will inspect the work and if it believes it is of a sufficiently good standard the payment will be made.~~

~~Conditions: The applicant must have lived in the property for a minimum of 12 months as their main residence.~~

~~The applicant will self-declare income & saving levels.~~

~~Owner's written consent for the works to be carried out at the property will be obtained before works commencing on site.~~

~~Where the applicant has an owner's interest in the property, this will be registered as a local land charge against the adapted property.~~

~~If the property is disposed of within 5 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.~~

~~The Council will not pay for any additional works carried out without prior approval.~~

8. Emergency Housing Grant Scheme (Extreme Weather)

~~Purpose: This assistance will provide immediate assistance to owner-occupiers where works are needed to make the dwelling wind and weatherproof or to reduce a hazard.~~

~~Maximum amount: The maximum funding is £2,000, except for other structures i.e.: caravans; where the limit is £750~~

~~Applicant eligibility: The applicant shall have an "owner's interest" in the dwelling subject to the application unless they are a lifelong tenant. This a discretionary grant and is subject to approval and or suspension.~~

~~No application will be considered where the applicant has lived in and owned the dwelling for less than 5 years from the day of the application.~~

~~However, where the applicant's circumstances have changed since acquiring the dwelling then the Council may decide to set aside the 5-year requirement in cases of hardship.~~

~~Eligible works: Works eligible for assistance will be at the discretion of the council.~~

~~As a general condition, the works should help remedy defects or deficiencies which have a direct impact upon health.~~

~~The purpose of the works will be to secure an immediate remedy and not necessarily for reducing long term maintenance costs.~~

~~Building regulation or legitimate project management fees may be included (within the grant maximum).~~

~~Financial assessment: Grant aid is targeted to people who cannot afford to repair their own homes. There will be no formal means-testing.~~

~~Payment: The Council will appoint a contractor or work with a third party to undertake the eligible works.~~

~~Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.~~

~~Conditions: It must be reasonable and practicable to undertake the works.~~

~~No requirement is made for the written consent of all joint owners as a condition of grant approval.~~

~~The applicant is not required to enter into a deed agreement with the Council.~~

~~All works must be completed within 3 months of the grant being approved.~~

~~There are no grant conditions concerning future occupation and repayment.~~

~~If the owner disposes of the property after the completion of the works, there is no obligation to repay the grant.~~

~~Where an applicant makes more than one application for a grant in respect of the same dwelling then it will not be accepted unless the period between the completion of the previous grant and the application for the succeeding grant is at least 9 months.~~

~~No more than 2 applications will be accepted from the same applicant in respect of one address in any 5 years.~~

8.9. Home and Family Support Grant

Purpose: This assistance will provide appropriate aids and adaptations to enable people with a diagnosis of, or who are, suffering from life-changing conditions and/or on end of life care, to manage their surroundings and retain their independence and dignity.

Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details

~~Maximum amount: The maximum funding is £10,000~~

~~Applicant eligibility: Applicants can be owner-occupiers, private tenants, and council tenants or register provider's tenants with a clinical diagnosis and referred by a General Practitioner, relevant Support worker or other relevant health professionals, confirming the works which are necessary and appropriate to support them to retain their independence and dignity.~~

~~Eligible works: The Council will work with the relevant health professional to determine appropriate works on a case by case basis. This a discretionary grant and is subject to approval and or suspension.~~

~~Financial assessment: This assistance is not subject to a means test.~~

~~Payment: The Council will appoint a contractor or work with a third party to undertake the eligible works.~~

~~Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.~~

~~Conditions: It must be reasonable and practicable to undertake the works.~~

~~All works must relate to the applicant's needs and assist them to remain in their home independently for a longer period.~~

~~Only one application will be considered within any 3 years.~~

109. Sanctuary Scheme

Purpose: This assistance will provide an occupier who is at risk of domestic abuse to improve the security arrangements of their home.

Maximum amount: The maximum funding is up to £1,000

Applicant eligibility: Where an appropriate officer of the Council is satisfied that one or more persons has suffered from, or is threatened by domestic abuse. This a discretionary grant and is subject to approval and or suspension.

Eligible works: The assistance provided will likely be in the form of security measures, such as door and window locks, security lighting although other recommendations for example: from an Independent Domestic Violence Advisor or Police Officer, may be considered.

Financial assessment: This assistance is not subject to a means test.

Payment: The Council will appoint a contractor or work with a third party to undertake the eligible works.

Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices.

Conditions: It must be reasonable and practicable to undertake the works.

110. Homelessness Grant Assistance

Purpose: This grant assistance will provide homeless persons with options to prevent their homelessness. This is to assist the Council to discharge its Statutory Homelessness duties.

Maximum amount: Funding is up to £5000 although, under exceptional circumstances as described below, this maximum amount can be exceeded.

Applicant eligibility: This applies to any **eligible** applicant that makes an application to the Council under Part 7 of the Housing Act 1996 (the Act). This a discretionary grant and is subject to approval and or suspension.

Those who are **ineligible** for housing assistance under section 185 of the Act will not be eligible for any assistance under this grant.

In discharging the Council's statutory homelessness duties, relevant officers are hereby delegated to offer applicants financial assistance up to the maximum values set out within this policy.

To be made an offer of financial assistance, the delegated officer will need to be satisfied that there is a **reasonable prospect of accommodation remaining or becoming available to the applicant and their household for at least six months.**

Applicants who are eligible for housing assistance under section 185 of the Act but who **do not** have a local connection to the Council's area under section 199 of the Act, **may** be eligible to receive an offer of financial assistance up to a maximum value of **£200**.

Applicants who are eligible for housing assistance under section 185 of the Act and who **have** a local connection to the Council's area under section 199 of the Act **may** be eligible to receive an offer of financial assistance directly from **front line case officers** up to a maximum value of **£2,000**.

Where a case officer considers it lawful, reasonable, justified and proportionate for the Council to offer more than £2,000 financial assistance to an applicant in discharge of the Council's statutory homelessness functions, they shall refer the matter to their Team Leader, Housing Options Manager or Housing Services Landlord Manager for consideration who are hereby delegated to authorise offers of financial support as follows:

Team Leader: up to **£3000**

Housing Options Manager/ Assistant Director Wellbeing & Community Leadership ~~Housing Services Landlord Manager~~: up to **£5000**

In exceptional circumstances, the Assistant Director Wellbeing & Community Leadership ~~Housing Services Landlord Manager~~ may consult with the portfolio holder about offering assistance above £5,000, documenting the exceptional circumstances accordingly.

Examples of the type of lawful, reasonable, justified and proportionate financial assistance delegated officers may offer includes, but is not limited to:

- Paying rent in advance or paying a deposit
- Paying off rent, mortgage or other arrears
- Paying for travel and transport
- Paying for urgent repairs
- Paying for legal advice
- Purchasing a basic starter pack of goods and/or furniture to take up accommodation

When considering any offer, those delegated will undertake/consider an appropriate financial assessment of the applicant's circumstances to determine whether assistance will be offered in the form of a grant or repayable loan.

The value, purpose and form of any financial assistance offered will be made at the **sole discretion** of delegated officers.

Any previously accepted offers of assistance to customers under this policy will be taken into consideration by officers.

Eligible Assistance: The assistance provided will be flexible and can include payments as described above.

Financial assessment: This assistance is not subject to a means test. Note: monies offered under this Grant will be funded through the Housing General Fund.

Payment: The Council will make payment to an agent, landlord or any other appropriate agency.

In the event of monies being paid to secure or sustain accommodation, funding will only be issued when the appropriate documentation is received from the applicant

Conditions: The award must result in the prevention of homeless and/or that there is a reasonable prospect of any accommodation secured, remaining or becoming available to the applicant and their household for at least six months.

4211. Empty Homes Grant

Purpose: To complete repairs on their property or deal with issues such as garden and house clearances so they can bring the property back into use. In exceptional circumstances, grants may be offered where it is in SHDC's interest to carry out improvements to the property.

Maximum amount: Up to £10,000 is available per application based on the lower of the three estimates submitted by the applicant. In exceptional circumstances, the Housing Services Landlord Manager may consult with the portfolio holder about offering assistance over **£10,000**, documenting the exceptional circumstances accordingly

Applicant eligibility: The applicant must be an owner-occupier. This a discretionary grant and is subject to approval and or suspension.

Eligible works: Works eligible for assistance will be at the discretion of the council.

As a general condition, the works should help remedy defects or deficiencies which will result in the empty home being bought back into use.

Building regulation or legitimate project management fees may be included (within the grant maximum).

Financial assessment: All applications will be means-tested, and the applicant may be required to contribute towards the cost of the works. **Note:** monies offered under this grant will be are funded through the Housing General Fund.

Payment: It is the responsibility of the applicant to obtain Planning Permission or Building Regulation consent where necessary.

Fees will only be paid when details are submitted as part of the application and in approved circumstances.

Conditions: Where the applicant has an owner's interest in the property, this will be registered as a local land charge against the adapted property.

If the property is disposed of within 5 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.

The Council will not pay for any additional works carried out without prior approval.

4312. EMERGENCY HOUSING SERVICES FUND

Purpose: Assistance to SHDC tenants when emergencies occur and intervention can maintain their tenancy and/or prevent their homelessness

Maximum amount: Up to £10,000 is available per application based on individual circumstances. In exceptional circumstances, the [Assistant Director Housing](#)

~~Services Landlord Manager~~ may consult with the portfolio holder about offering assistance over **£10,000**, documenting the exceptional circumstances accordingly

Applicant eligibility: The applicant must be an SHDC tenant. This a discretionary grant and is subject to approval and or suspension.

Eligible works: Works eligible for assistance will be at the discretion of the council.

As a general condition; the works should help remedy emergencies such as small scale fires, floods, or other emergencies and either supports the tenants in maintaining their existing tenancy, or assist in preventing a statutory homelessness presentation.

Financial assessment: **No applications** will be means-tested as we are delivering our duties as a social landlord. **Note:** monies offered under this fund will be met through the Housing Revenue Account.

Payment: Fees will only be paid when details are submitted as part of the assessment and in approved circumstances.

Conditions: There must be a verified incident that would benefit an SHDC tenant and/or the Council by the payment from this fund.

The Council will not pay for any additional works carried out without prior approval.

1413. HOUSING TENANCY SUSTAINABILITY FUND – EXCEPTIONAL HARDSHIP FUND

Purpose: ~~Assistance to support economically vulnerable tenants impacted by COVID-19 where no other source of financial assistance is available such as access to Discretionary Housing Payment or DWP funds.~~

SHDC (in its role as a social landlord) intends to provide support for tenants through our Exceptional Hardship Fund (Fund) in order to sustain tenancies, promote financial inclusion and prevent homelessness.

This fund will allow us to support economically vulnerable tenants where no other source of financial assistance is available such as access to Discretionary Housing Payment or DWP funds. The scheme is intended to help in cases of extreme financial hardship, and not support a lifestyle.

Maximum amount: ~~Assistance will have a ceiling of £500 per household and limited to one application~~ The Fund allows up to £500 per household to provide interim support for households while long term solutions are found. The tenant must be committed to finding a solution by actively engaging with support services (as recommended by the Housing Neighbourhood Officer (HNO) and/or Cost of Living Response Officer (COLRO)), and assistance must not be available elsewhere e.g. DWP, Warm Home Discount Scheme or Winter Fuel Payments. Hardship grants are at the sole discretion of the Housing Services Manager.

Applicant eligibility: Applicants may be eligible to be considered for support if they meet all of the following criteria:

- They are a Council tenant.
- Their household income has been interrupted by an unexpected event.
- They have applied for DHP/DWP funds and have been refused or Housing Officers are satisfied that they do not meet the criteria to apply to these funds.

- They are committed to take steps to find a long term solution to their financial issues such as seeking debt advice.

It is the responsibility of the tenant to provide evidence required. Cases will not be considered if necessary evidence is not provided. This a discretionary grant and is subject to approval and or suspension.

The Exceptional Hardship fund is cash limited and will assist households by:

- Addressing a reduction in income.
- Allowing the tenant a short period of time to adjust to unforeseen short-term financial circumstances and “bridge the gap” during this time.
- Helping customers through personal crises and difficult events that affect their finances.
- Preventing exceptional hardship.
- Helping those who are trying to help themselves financially.
- Alleviating poverty including fuel poverty.
- Sustaining tenancies and preventing homelessness.
- Encouraging and supporting people to obtain and sustain employment.

As part of the application, applicants must:

- be a current tenant living in a SHDC property at the time of applying
- seek appropriate advice as determined by the HNO/COLRO
- be committed to take steps to find a long-term solution
- supply evidence of their circumstances.

The Fund is a short-term emergency fund whilst the tenant seeks alternative solutions. Applications will only be considered for existing SHDC tenants only. Tenancy conduct will be considered but will not necessarily result in the application being refused. The Fund is discretionary and there is no right of appeal. All circumstances will be considered provided they meet the primary objective of sustaining a tenancy.

Applications will be refused where it is determined that there are unnecessary expenses/debts and that the customer has not taken reasonable steps to reduce these and/or a shortfall in income is caused by a DWP sanction/ suspension because the customer has turned down work/interview/training opportunities.

In exceptional circumstances, additional funds including compensation and support packages may be awarded by the Assistant Director – Housing.

~~Eligible works Assistance Available: Works eligible for~~ Assistance will be at the discretion of the council. These may include but are not limited to:

- ~~• Assistance with legal fees for Domestic/Racial Abuse cases where no other assistance is available (including Legal Aid) in order to protect the tenant~~
- ~~• Funding of skips to assist with hoarding concerns (whilst the tips are closed)~~
- ~~• Removal fees for an essential house move or for disposal of furniture following the death of a tenant~~
- ~~• Payment of up to four weeks rent where the tenant is self-employed/working. This to allow them time to adjust their outgoings and consolidate usual expenses/give notice on items such as Sky TV etc. (Evidence of circumstances will be required)~~

- ~~Payment of up to £200 for utility meter debt to complete a gas service where the household is vulnerable~~
- ~~Up to £50 to purchase an online delivery supermarket pass where tenants are self-isolating~~
- ~~One off £100 payment towards increased utility costs whilst remaining at home~~
- ~~One off £100 payment towards increased food costs if children/vulnerable people in household~~
- ~~One off £100 towards mobile phone data (where they do not have broadband) and are working from home/home-schooling~~
- ~~One off £200 towards the cost of additional resources needed for providing temporary accommodation (in their home) to vulnerable family members during the lockdown period e.g. elderly parents~~
- ~~One off £100 payment towards increased transport costs if caring for a family member that is shielding.~~

Assistance will vary on a case by case basis, however examples include but are not limited to the following:

- Purchase of whitegoods and/or flooring – this will primarily benefit new tenants.
- Funding of safety equipment to keep Domestic/Racial Abuse victims safe. (as recommended by the Police)
- Funding cleaning costs for one off deep cleans following property deterioration due to ill health.
- Assistance with legal fees for Domestic/Racial Abuse cases where no other assistance is available (including Legal Aid) in order to protect the tenant.
- Funding for skips to assist with hoarding concerns and/or untidy properties.
- Removal fees for an essential house move or for disposal of furniture including where a tenant has passed away.
- Payment towards rent arrears where the tenant has recently become unemployed. This to allow them time to adjust their outgoings and consolidate usual expenses/give notice on items such as Sky TV etc. (Evidence of circumstances will be required)
- Payment towards rent arrears where the property is under occupied and the household wish to move to smaller accommodation (releasing accommodation that is in demand) but cannot access the Housing Register due to the debt.
- Payment towards utility meter debt to complete a gas service where the household is vulnerable where the applicant can demonstrate they have applied for and have been refused warm home discount or winter fuel payments that usually run from October to March each year.
- Up to £50 to purchase an online delivery supermarket pass.

Applications are capped at £500 per household and no further applications can be considered within the same financial year. If successful, a one-off payment will be made to the relevant organisation direct. Supermarket vouchers will be provided where it is not possible to pay the money to a company.

~~Financial assessment: It is proposed that £50,000 is made available to fulfil this policy. This money will come from Housing Revenue Account reserves. Any requests for further funding~~

~~will be submitted to the Section 151 Officer by the Housing Landlord Services Manager following approval from the Portfolio Holder for Housing and Health.~~

Payment: Fees will only be paid when details are submitted as part of the assessment and in approved circumstances.

Conditions: Assistance will vary on a case by case basis and cases will be recommended by a Housing Neighbourhood Officer.

The Housing Neighbourhood Officer will present applications on the tenant's behalf to the Housing Services Manager. The Housing Services Manager will review the application and approve payment for those that meet the criteria.

All circumstances will be considered provided they meet the primary objective of sustaining a tenancy, preventing homelessness and there is no other public funding available to assist.

WHO IS AFFECTED BY THE POLICY?

Owners and leaseholders of properties, homeless persons and SHDC tenants within the South Holland district.

IMPLEMENTATION

~~This policy provides an updated policy statement for a range of financial assistance measures already in operation. Therefore implementation implications are likely to be minimal and overseen by the responsible Service Manager. The implementation of this policy will be carried out by the Housing Options within Housing. The Housing Options Manager, and ultimately the Housing Landlord Services Manager, will be accountable for ensuring the policy is implemented effectively.~~

~~The policy should be read in conjunction with existing policies and therefore requires matrix working to achieve positive outcomes for customers. The following teams are most likely to interact with customers affected by this policy: However, for the policy to be effective, we recognise that it is necessary to adopt a corporate approach. Services within the Council that will be involved are:~~

- Communities Team
- Planning & Development
- Housing Options Team
- Housing Management
- Customer Services
- Benefits and Revenues Team

MONITORING The policy will be monitored in the following ways:

MONITORING ACTIVITY	PERSON RESPONSIBLE
Check to see if the policy has been implemented effectively	Assistant Director Wellbeing & Community Leadership and Assistant Director Housing Housing Landlord Services Manager
Review the Policy annually	Housing Services Manager and Housing Options Manager

~~POLICY CONSULTATION POLICY APPROVAL~~

~~This policy was approved by Cabinet on~~

~~RELATED POLICIES & STRATEGIES~~

~~South Holland District Council's Empty Homes Strategy Appendix 2 Housing Assistance Policy — Individual Scheme Details Table Lincolnshire Homelessness Strategy 2017-2021~~

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APPENDIX 2 – INDIVIDUAL SCHEME DETAILS TABLE						
Type of assistance	Means Test	Local Land Charge	Mandatory/ Discretionary	Service Area/Activity	Key Outcome	Max. Funding
Disabled Facilities Grant (DFG)	Y formal	Y	Mandatory	DFG	Adaptations to enable independent living	£30,000
DFG top-up	Y formal	Y	Discretionary	DFG	Top-up mandatory DFG which exceeds grant limit <u>Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£30,000
Disabled Adaptation Assistance (Fast-track adaptations)	Y Self-certified	N	Discretionary	DFG	Minor adaptations for those eligible for a DFG without formal means testing <u>Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£10,000
Moving on Assistance	Y formal	Y	Discretionary	DFG Homelessness	Financial assistance to move to more suitable accommodation <u>Please refer to the Lincolnshire Discretionary</u>	£10,000

					<u>Housing Financial Assistance Policy for further details</u>	
Hospital Discharge Assistance	N	N	Discretionary	DFG Homelessness	Prevent delayed transfers of care associated with housing disrepair or access issues Please refer to the <u>Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£10,000
Safe, Warm and Well	Y Self-certified	Y	Discretionary	DFG Homelessness	Minor essential repairs to make homes safe for vulnerable owner-occupiers Please refer to the <u>Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£10,000
Central Heating Scheme	Y Self-certified	Y	Discretionary	DFG Homelessness	To provide a central heating system of suitable design and installation for owner-occupiers who are either vulnerable or suffer a health condition exacerbated by cold. Please refer to the <u>Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£10,000

Emergency Housing Grant Scheme (Extreme Weather)	N	N	Discretionary	DFG Homelessness	To enable owner-occupiers to manage the immediate repairs which are giving rise to conditions which directly impact upon health.	£2,000
Type of assistance	Means Test	Local Land Charge	Mandatory/ Discretionary		Key Outcome	Max. Funding
Home and Family Support Grant	N	N	Discretionary	DFG Homelessness	To enable people with a diagnosis of, or who are, suffering from life-changing conditions and on end of life care to manage their surroundings and retain their independence and dignity. <u>Please refer to the Lincolnshire Discretionary Housing Financial Assistance Policy for further details</u>	£10,000
Sanctuary Scheme	N	N	Discretionary	DFG <u>Community Safety</u>	This assistance will provide an occupier who is at risk of domestic abuse to improve the security arrangements of their home.	£1,000

Homelessness Grant	N	N	Discretionary	Homelessness	Prevent Homelessness	£5,000+ (in exceptional circumstances)
Empty Homes Grant	Y	Y	Discretionary	Homelessness Empty Homes	Assist in bringing an empty home back into use	£10,000+ (In exceptional circumstances)
Emergency Housing Services Fund	N	N	Discretionary	Homelessness Landlord Services / HRA Tenant Hardship Fund	Assistance to SHDC tenants when emergencies occur and intervention can maintain their tenancy and/or prevent their homelessness.	£10,000+ (In exceptional circumstances)
Housing Tenancy Sustainability Fund Exceptional Hardship Fund	N	N	Discretionary	Housing Landlord Services / HRA Tenant Hardship Fund	Assistance to support economically vulnerable tenants where there income has been interrupted by an unexpected event. Assistance applies impacted by COVID-19 where no other source of financial assistance is available such as access to Discretionary Housing Payment or DWP funds.	Limit to 1 application of £500+ maximum (In exceptional circumstances)



REPORT TO:	Cabinet
DATE:	Wednesday 17 January, 2024
SUBJECT:	Review of Housing Allocations Policy
PURPOSE:	To adopt the revised Housing Allocations Policy
KEY DECISION:	No
PORTFOLIO HOLDER:	Councillor Tracey Carter
REPORT OF:	Jason King, Assistant Director - Housing
REPORT AUTHOR:	Vikki Cherry, Jason King
WARD(S) AFFECTED:	(All Wards);
EXEMPT REPORT?	No

SUMMARY

The Housing Act 1996 (as amended) requires Councils to have a policy on how they allocate social housing within their district. The current Housing Allocations Policy was adopted by Cabinet in 2021. Registered Providers and Policy Development Panel have been consulted on the proposed changes. Cabinet is requested to approve the revisions to the Policy.

RECOMMENDATIONS

1. That Cabinet adopts the revised Housing Allocations Policy.
2. That Cabinet delegates minor operational amendments to the Assistant Director – Housing in consultation with the Portfolio Holder for Communities and Operational Housing.

REASONS FOR RECOMMENDATIONS

To ensure that the Housing Allocations Policy references the most recent legislation, reflects current operational practice and supports the demand on Council services from homeless households.

OTHER OPTIONS CONSIDERED

Do nothing – make no changes and continue to use the policy approved in 2021. This option is not recommended – it is good practice to update policies on a regular basis and amendments are required due to changes in case law.

1. BACKGROUND

1.1 The Housing Act 1996 (as amended) requires Councils to have a policy on how they allocate social housing within their district. The current Housing Allocations Policy was adopted by Cabinet in 2021.

2. REPORT

2.1 It is essential that the Allocations Policy is reviewed regularly to ensure that it meets current legislation, case law, operational practice and the latest Council priorities. The Policy has been reviewed by Officers in conjunction with partner Registered Providers and Policy Development Panel. Legal advice has also been sought to protect the Council from successful legal challenge.

2.2. The key updates are as follows:

- Section regarding young people aged 16 & 17 updated to reduce risk of indirect discrimination (paragraph 4.10 of the policy).
- Sharing data with Department for Levelling Up, Housing and Communities added to the 'consent to share data and information' section (paragraph 4.18)
- Unacceptable behaviour section updated to allow for the inclusion of decisions made by the courts regarding civil cases, as well as criminal cases (paragraph 6.1 and 6.6).
- Properties and assets in countries subject to active war disregarded for asset checks (paragraph 6.1 and 6.25)
- Income figure updated for 23/24 figures – no change to how we define income threshold (paragraph 6.27)
- Debt Relief Order added to the definition of irrecoverable debt (paragraph 6.13)
- Disregard of local connection test for applicants fleeing domestic abuse as per case law R (on the application of TX) V Adur DC 2023 (paragraph 6.32)
- Applicants in 'ready to move on' categories will be subject to one offer of accommodation (instead of two). These applicants are living in supported accommodation which is in high demand - this decision will support a quicker turnover of specialist accommodation that is in high demand and includes SHDC's rough sleeper accommodation (paragraph 8.34)
- Applicants at risk of exclusion paragraph (2.4) amended to allow for flexibility across tenures where mediation can be used as a tool to prevent homelessness.
- 'Moderate medical, welfare or hardship' category (band 3) has been expanded to include applicants needing to relocate to give a defined and evidenced level of care or support to a resident of South Holland (i.e. 20 hours of respite care per week). This has been added to alleviate some pressure on support services (paragraph 3.4 of appendix A of the policy).
- Households in 'homeless' categories within bands 3 and 4 are now entitled to two offers of accommodation. (Homeless households in bands 1 continue to be entitled to one offer only).

- Priority of 'No security of tenure' changed from band 3 to band 4 (paragraph 4.3 of appendix A of the policy). This is a strategic change to reflect demand on the Council's services to support homeless households.
- Removal of 'sharing facilities category' as these cases fall into 'no security of tenure' by legal definition.
- Priority of 'overcrowding' moved from bands 2 and 3 to band 4 (paragraph 4.5 of appendix A of the policy). This is a strategic change to reflect demand on the Council's services to support homeless households, in addition overcrowded households will be treated the same regardless of tenure. Social tenants (previously in band 2) have the opportunity to move via mutual exchange also. The policy continues to recognise statutory overcrowding (in band 1).
- Addition of Community Contribution definition (paragraph 4.17 of appendix A of the policy).

(Amendments are highlighted in Appendix B).

2.3. A change of banding order is considered a major policy change and so formal consultation has been carried out with partner Registered Providers (as per the Housing Act 1996).

2.4. No changes have been made to the Sheltered Housing criteria. A review of the criteria will be conducted following the completion of the Sheltered Housing review.

3. CONCLUSION

3.1 Adoption of the updated Housing Allocations Policy will ensure that our Policy reflects current legislation and best practice.

4. EXPECTED BENEFITS TO THE PARTNERSHIP

4.1 None.

5. IMPLICATIONS

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

5.1.1 None.

5.2 CORPORATE PRIORITIES

5.2.1 The Policy will support the following Corporate Priorities:

- Your home – mitigating and preventing households becoming homeless by managing tenancies effectively, addressing housing need and being a landlord of choice
- Your place – managing estates within communities to ensure they are attractive places to visit, live and work
- Your health and wellbeing – delivering sustainable tenancies and letting properties with disabled adaptations to those in need.
- Our Council – ensuring that Officers report and manage concerns regarding safeguarding and modern-day slavery, making us a landlord of choice.

5.3 STAFFING

5.3.1 None.

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

- 5.4.1 Housing matters, including this policy, are executive functions and are therefore a matter for the Cabinet to determine.
- 5.4.2 This policy has been reviewed by Housing solicitors, Capsticks. Amendments have been made to the existing policy to reduce the risk of legal challenge on the grounds of direct or indirect discrimination. The policy has also been updated to reflect recent case law.
- 5.4.3 S166A of the Housing Act 1996 requires local housing authorities to consult on major changes to its allocations policy. We have informally and formally consulted partner Registered Providers.
- 5.4.4 It is proposed that approval of minor changes are delegated to the Housing Landlord Services Manager in consultation with the Portfolio Holder for Communities and Operational Housing.

5.5 DATA PROTECTION

- 5.5.1 Privacy notices are published on our website and information sharing agreements are in place between SHDC and partner Registered Providers.

5.6 FINANCIAL

- 5.6.1 None.

5.7 RISK MANAGEMENT

- 5.7.1 None.

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

- 5.8.1 We have consulted the following:
- Portfolio Holder - Communities and Operational Housing
 - Section 151 Officer
 - Monitoring Officer
 - Allocations and Lettings Officers
 - Housing Officers
 - Housing Options and Homelessness Team including Homelessness Reduction Manager
 - Partner Registered Providers
 - Policy Development Panel.
- 5.8.2 Informal feedback was sought from Registered Providers and SHDC Officers in September 2023. Feedback included a query regarding overlap of the “no security of tenure” and “sharing facilities” categories. As of 27/9/23 there were 0 applicants in the “sharing facilities” category and so this category has been deleted.
- 5.8.3 Policy Development Panel reviewed the policy on 11 October 2023. Panel requested that a definition of ‘overcrowding’ was added to band 4 and that homeless households in bands 3 and 4 were entitled to two offers of accommodation (rather than one). Further consultation has been held with the Homeless Reduction Manager, and they have no concerns regarding the change for homeless households. A revised procedure has been drafted to ensure this policy change does not impact the temporary accommodation

budget. A table has been added to the Policy summarising the number of offers applicants are entitled to.

- 5.8.4 Formal consultation was carried in November 2023 as per Part 6 of the Housing Act 1996 (as amended). One amendment has been made following this consultation. Paragraph 2.11 of band 2 has been amended to allow greater flexibility for social landlords when tenants go into a care home and leave carers in occupation (who were part of their household prior to leaving). Previously, this part of the Policy only came into effect when a tenant had passed away. The amendment provides a better outcome for the landlord, tenant and remaining occupiers of the property.

5.9 REPUTATION

- 5.9.1 Minor amendments have been made to the policy to reduce the risk of reputational damage caused following a successful legal challenge on the grounds of discrimination. This includes not applying the local connection test to those fleeing domestic violence.

5.10 CONTRACTS

- 5.10.1 None.

5.11 CRIME AND DISORDER

- 5.11.1 None.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

- 5.12.1 The Council promotes equal opportunities and aims to implement and maintain services that ensure no applicant is treated unfairly on the grounds of age, gender identity, marital status, pregnancy or maternity, sexual orientation, race, religious belief or disability or disadvantaged by the application of criteria that has a direct or indirect discriminatory effect that cannot be justified by law. An equality and impact assessment has been completed and is available at appendix D.
- 5.12.2 Preference for allocations will be given to applicants in the reasonable preference categories as per the Housing Act 1996 and local lettings policies will not discriminate unjustifiably, directly or indirectly, on equality grounds. Legal advice has also been sought regarding the potential for discrimination with minor amendments made to the existing policy.
- 5.12.3 The revised policy proposes that applicants in supported accommodation are entitled to one offer. These applicants are successfully ready to move on from their accommodation and no longer need to occupy specialist accommodation. Applicants in these categories will be advised of this rule at the point of applying. It is proposed that the Assistant Director – Housing has the right to allow a further offer of accommodation to be made in extenuating circumstances.
- 5.12.4 Advice and assistance is available to ensure that the Allocations Policy is accessible for all applicants. Information can be translated or made available in different formats, such as large print, upon request.

5.13 HEALTH AND WELL BEING

5.13.1 Successful Allocations supports the health and wellbeing of our residents. This policy allows for adapted properties to be let to those in need of the adaptations. This ensures best use of adaptations and use of Disabled Facilities Grant funding.

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

5.14.1 None.

5.15 LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

5.15.1 The documents support the mission of “Housing - Improve living standards”. Successful Allocations will improve wellbeing and pride in place.

6. ACRONYMS

6.1 None.

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
APPENDIX A	Housing Allocations Policy
APPENDIX B	Housing Allocations Policy – track changes version
APPENDIX C	Consultation responses
APPENDIX D	Equality Impact Assessment

BACKGROUND PAPERS
No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT	
Policy Development Panel	11 October 2023

REPORT APPROVAL	
Report author:	Vikki Cherry, Jason King vcherry@sholland.gov.uk, JasonKing@sholland.gov.uk
Signed off by:	Assistant Director - Housing jasonking@sholland.gov.uk
Approved for publication:	Councillor Tracey Carter

Appendix A - South Holland District Council Housing Allocations Policy 2024

1. INTRODUCTION

- 1.1. The South Holland Housing Allocations Policy sets out how the Council will:
 - assess applications for housing,
 - determine eligibility, qualification and level of housing need
 - prioritise applications
 - allocate accommodation.
- 1.2. In developing this Policy, the Council has taken into consideration the Housing Act 1996 (as amended), the Localism Act 2011, the statutory Code of Guidance on the Allocation of Accommodation June 2012 and other relevant legislation and government guidance. Some parts of this policy are set in legislation – it has been highlighted when this is the case.
- 1.3. This Policy is consistent with the Council's Corporate Plan, Countywide Homelessness Strategy and Rough Sleepers Strategy.
- 1.4. In developing this Policy, the Council has consulted with staff, partner landlords of social housing (formerly known as Housing Associations) with stock within South Holland, local voluntary and statutory agencies and elected members.
- 1.5. The Council's objectives for the Housing Allocations scheme policy is to:
 - Provide an accessible, fair and transparent service
 - Meet local housing needs
 - Meet the housing needs of the most vulnerable
 - Prioritise those with the greatest/most urgent housing needs
 - Make the best use of existing social housing stock
 - Support and create safe and balanced sustainable communities
 - Offer applicants choice in relation to available accommodation.
- 1.6. The Council seeks to give all applicants choice in relation to location of accommodation but may have to limit choice in certain circumstances, such as where there is limited availability or where the Council is discharging a statutory duty to a homeless household.
- 1.7. Letting of Council properties and nominations to partner landlord's (set out in 3.1) within South Holland are covered by this Policy. This includes general needs accommodation for single persons, couples and families and sheltered accommodation.
- 1.8. The following types of allocation are **not** covered by this Policy:
 - Tenancy successions
 - Tenancy assignments, such as mutual exchanges
 - Tenancy status changes, such as introductory to secure tenancies
 - Tenancy transfers pursuant to Court Orders
 - Management Allocations, such as:
 - Temporary lettings to existing Council tenants who need to be decanted pending major refurbishment or repair works

- Emergency management moves where there are extenuating circumstances and partner agencies support this move
- Temporary lettings to homeless households
- Where there is a legal requirement to offer accommodation to a household following a compulsory purchase of a property
- Where there is a legal requirement to offer accommodation to a displaced agricultural worker under the Rent (Agriculture) Act 1976.

1.9. The Council promotes equal opportunities and aims to implement and maintain services that ensure no applicant is treated unfairly on the grounds of age, sex, gender reassignment, marital status, pregnancy or maternity, sexual orientation, race, religious belief or disability or disadvantaged by the application of criteria that has a direct or indirect discriminatory effect that cannot be justified by law.

1.10. Personal information that the Council holds in relation to applications will be processed in accordance with Data Protection legislation. Information may need to be disclosed to Partner landlords or other landlords who may be able to offer accommodation. More information about how and why the Council may process personal data, data protection rights or how to contact the Council's Data Protection Officer is available in the Council's Privacy Notice, accessible on the Council's website.

2. EQUAL OPPORTUNITIES

2.1. South Holland District Council and partner landlords are committed to the promotion of equality of opportunity for all existing and potential applicants.

2.2. In drafting this policy South Holland District Council has had regard to its public sector equality duty under s149 of the Equality Act 2010, in respect of the protected characteristics set out therein and has had regard to:

- Eliminating unlawful discrimination, harassment and victimisation
- Advancing equality of opportunity between different groups; and
- Fostering good relations between different groups.

2.3. As permitted by the Localism Act 2011, preference for allocations will be given to applicants in the reasonable preference categories and local lettings policies will not unjustifiably discriminate against persons possessing protected characteristics.

2.4. Where necessary, the Council will seek to provide interpretation and translation facilities, within a reasonable timescale, as well as using alternative or additional methods of communication.

3. PARTNERSHIPS

3.1. Applicants will be considered for housing with the following partner landlords (and their successors and assigns) and any other suitable partner landlords as the Council may determine from time-to-time, by applying to the South Holland Housing Register:

- South Holland District Council
- South Holland Homes
- Longhurst Group
- Platform Housing Group
- Broadgate Homes
- Accent Housing
- CKH - Cross Keys Homes

- Hastoe Housing Association
- LHP- Lincolnshire Housing Partnership
- Lincolnshire Rural Housing Association
- Muir Group Housing Association
- Welland Homes Ltd

- 3.2 The named partners have been consulted with throughout the development of the policy to ensure their views could be taken into consideration.
- 3.3 By making an application to join the Housing Register, the customer consents to their information being accessed by all our partner landlords.
- 3.4 Each partner landlord will sign an Information Sharing Agreement with the Council which requires them to hold all customer information in accordance with data protection legislation and to take all reasonable care and diligence in performing its obligations in relation to the Housing Register.
- 3.5 The partner landlords will not disclose confidential information to a third party except where:
- the individual who is the subject of the confidential information has consented to the disclosure;
 - the Partner landlord or the Council is required by law to make such disclosures; or
 - disclosure is made in accordance with an information sharing protocol.
- 3.6 The Information Sharing Agreement states that this clause will continue in perpetuity despite any termination or expiry of the agreement.
- 3.7 Partner landlords with housing stock within the South Holland district are expected to let their properties through the Housing Register as nominations. Nominations for s106 properties will be let in accordance with the relevant nomination agreement.

4. THE HOUSING REGISTER

- 4.1. The Council maintains a Housing Register of households who are applying for Council or partner landlord properties within South Holland.
- 4.2. **Applying to the Register**
- 4.3. Individuals are usually only expected to be part of one active application at any one time, either as a main or joint applicant, or as a member of an applicant's household. Exceptions to this will be considered on a case-by-case basis.
- 4.4. Individuals must apply online at www.sholland.gov.uk. Where exceptional circumstances exist, alternative arrangements will be made available by the Council – this may include referring the applicant to an outside organisation.
- 4.5. **Applications from members of staff, board members, employees and their close relatives**
- 4.6. Council employees, elected members and their immediate relatives may apply for housing in the same way as other customers. However, those that fall into these groups must declare their status as part of their application.

- 4.7. When handling an application from an individual that falls into one or more of these groups, the Assistant Director – Housing at South Holland District Council will be the officer responsible for verifying and approving the following:
- The level of priority awarded to the application.
 - The vetting of offers of accommodation made as part of this scheme.
- 4.8. **Young people aged 16 or 17**
- 4.9. Legislation allows for young persons aged 16 and 17 years old to apply to the Register in the same way as any other customer, however the law prevents those in this age group from holding the legal interest of a tenancy agreement until they turn 18 years of age. Any offers of accommodation to a 16 or 17 year old are likely to be dependent upon the specific requirements of the partner landlord.
- 4.10. In general, applicants that fall within this age group will require a trustee to hold the legal tenancy on trust, and will only be made an offer of accommodation where all of the following apply:
- the applicant's support needs have been assessed; and
 - they are considered to be:
 - able to maintain a tenancy without support, or
 - able to maintain a tenancy with support, and that support arrangements are in place; and
 - the applicant has or will have the financial means to cover the rent.
- 4.11. The details of the specific requirements of each partner landlord can be made available on request.
- 4.12. **Providing information**
- 4.13. The information included on the application must be accurate and not misleading. Applicants will be required to promptly provide documentary evidence to support the information on their application and demonstrate that they have a housing need, for example proof of identity, address, income, savings and custody/access to children.
- 4.14. Applicants who have indicated that they have a medical, mobility, welfare or hardship need will be required to provide supporting evidence and may need to be referred to an appropriate agency for an assessment.
- 4.15. **Consent to share data and information**
- 4.16. In order to access the Housing Register, the applicant must grant the Council consent to make necessary enquiries that will enable it to verify their circumstances. These enquiries may include:
- Credit agency reference checks in order to verify present and previous addresses, household information, instances of housing related debt and income details.
 - Cross referencing details with Housing Benefit and Council Tax records.
 - Contacting previous or existing landlords to establish whether tenancy terms have been adhered to.
 - Contacting other partner agencies such as the Police and the Council's Community Safety Team in order to verify incidents of anti-social behaviour.

- Contacting border agencies and embassies in order to establish whether an applicant has an interest in land and/or property outside of the UK.

4.17. The Council may make any further enquiries it deems necessary in order to confirm the information provided on an application. Applicants may be required to provide further information and evidence in relation to their circumstances.

4.18. At point of entering into a new social housing tenancy, social housing providers will share information about the new tenant and their household with the Department for Levelling Up, Housing and Communities. This data is recorded for research and statistical purposes. Further information is available at <https://core.communities.gov.uk/>

4.19. **Applicant declaration and false statements**

4.20. In order to access the Housing Register, applicants will be required to declare that the information provided as part of their application is accurate and true. Applicants will also be asked to declare any of the following:

- Details regarding income and assets, including any interest in land and/or property.
- Details of any criminal convictions, previous possession orders or injunctions made against them and any incidents of anti-social behaviour
- Details of any outstanding housing related debts, including rent and mortgage arrears.

4.21. A number of Acts make it a criminal offence to engage in social housing fraud, including the Fraud Act 2006. Additionally, it is a criminal offence under s.171 of the Housing Act 1996 for an applicant to knowingly or recklessly provide false information, withhold information or allow a third party to provide false information on their behalf in relation to a Housing Register application. Such an offence could result in prosecution and an unlimited fine. If an applicant provides false information, withholds information or allows a third party to provide false information on their behalf, the Council reserves the right to disqualify the applicant from the register, withdraw any offer of accommodation and recover possession of any tenancy obtained.

4.22. **Statement on choice**

4.23. In applying to the Housing Register, applicants will be able to express choice over the following:

- The areas of the district that they wish to be considered for an allocation of accommodation
- The broad property type that they wish to be considered for (i.e. house, flat, bungalow etc) and that meets their needs.

Applicants can vary their choices at any stage during the time whilst they hold a live Housing Register application.

4.24. Where the Council accepts a Relief or Main Housing Duty (Housing Act 1996), area choices and property types will be determined by the Council as part of a suitability assessment.

4.25. **Assessment of applications**

4.26. The Council will assess completed applications and the supporting evidence provided. They will decide whether the applicant qualifies for the Housing Register, which

banding is applicable to their circumstances and the type of properties they are eligible for. Incomplete applications will not be assessed and will be cancelled after 28 calendar days.

4.27. If an applicant is accepted onto the Housing Register, the applicant will be notified of the band their application has been placed in, the property type and areas they will be considered for.

4.28. If an applicant is refused access to the Housing Register, the applicant will be notified in writing that their application has been refused and the reasons why.

4.29. Changes in circumstances

4.30. Applicants must notify the Council of any relevant change in their circumstances. Following notification of a change in circumstances, the application will be reassessed and may be moved from one band to another, or removed from the Register. Applicants will be notified of the outcome in writing.

4.31. Review of circumstances

4.32. Applicants within Band 1 will be contacted every 6 months to determine whether the circumstances/needs that led to the award are still prevailing. If upon the Council's reassessment a lesser award is given, the application will be given the original date of registration.

4.33. Applicants within all other bands will be contacted at least every 12 months to determine whether the circumstances/needs that led to the award are still prevailing.

4.34. Applicants must respond to such requests within a specified time period (normally 14 calendar days). Failure to respond within the specified time period will result in the application being cancelled.

4.35. If at any time the Council receives evidence that an applicant who has already been accepted onto the Housing Register no longer qualifies, the applicant will be notified in writing that their application has been cancelled and the reasons for the cancellation. The applicant has a right to appeal this decision.

4.36. Application Types

4.37. Any applicant who does not hold an introductory, secure, starter, full assured or fixed-term tenancy with a Council or partner landlord will be regarded as a new applicant.

4.38. Any existing social housing tenant who holds a tenancy (i.e. an introductory, secure, starter, full assured or fixed-term flexible tenancy) with a Council or partner landlord will be regarded as a transfer applicant.

5. ELIGIBILITY FOR OFFERS OF ACCOMMODATION UNDER PART 6 HOUSING ACT 1996

5.1. In considering an application, the Council will firstly assess if an applicant is eligible for an allocation of accommodation and secondly, whether an applicant qualifies for an allocation of accommodation. To join the Register, applicants must be eligible as per Part 6 Housing Act 1996 and meet the qualification criteria (see section 6).

5.2. Eligibility and/or qualification status can change and accordingly can be reassessed by

the Council at any point. All applicants will be required to provide evidence to verify both their eligibility and qualification status at the point of application and again at the point of allocation.

5.3. Persons subject to immigration control - the Housing Act 1996 s160ZA determines that a person(s) who fall(s) into the following categories may not be allocated accommodation:

- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he or she comes within a class prescribed in regulations made by the Secretary of State) or
- Other persons from abroad who are not subject to immigration control but are prescribed by regulations as not eligible for an allocation of accommodation including British citizens not currently residing in the UK and therefore not Habitually Resident or
- Any persons who is excluded from entitlement to universal credit or housing benefit by virtue of s115 Immigration and Asylum Act 1999

5.4 In respect of People from Northern Ireland and those who are Stateless, we will comply with the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (S.I. 2006/1294) as amended by the Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020.

6. QUALIFICATION

6.1. An applicant does not qualify to join the Register in any of the following circumstances:

- The applicant or members of their household have been found guilty of or otherwise proven in a court of law to have engaged in 'unacceptable behaviour' which would make them unsuitable to be a tenant including owing a housing related debt (subject to paragraph 6.16).
- The applicant or members of their household owns a freehold or long leasehold interest in a property. The only exceptions to this are where there is an overwhelming welfare need, as assessed by the Council and its partners, or where the property is located in a country subject to active war.
- The household's annual income and/or savings and assets would enable them to purchase or rent suitable accommodation on the open market.
- The applicant is presently serving a custodial sentence, and therefore unable to take up an offer of accommodation
- The applicant is incapable in law of holding a legal tenancy
- The applicant has refused the maximum number of suitable offers applicable (as per 8.32).

6.2. In general, tenants of partner landlords may be considered as qualifying persons at point of application and offer, but will usually not be provided with an offer of accommodation until the following has been satisfied:

- The rent account of their existing property is clear.
- The property has been inspected and has been assessed as being in a good condition.
- There have been no breaches of tenancy conditions within the last 12 months.

6.3. Tenants of partner landlords who wish to transfer must obtain a written reference from their landlord covering the points in 6.2 before joining the Housing Register. All transfer applicants must usually have held their current tenancy for a period of at least twelve

months before being considered for a transfer. A further reference will be required at point of offer.

6.4. **Unacceptable behaviour**

6.5. Applicants who are unsuitable to be a tenant because they (or any member of their household) have been responsible for unacceptable behaviour will not qualify to join the Housing Register for a period of at least 12 months from point of application. The applicant's behaviour, and that of any household member, will be taken into account at registration and offer stage.

6.6. Examples of unacceptable behaviour include (but are not limited to):

- Being found guilty of or otherwise proven in a court of law to have engaged in the following behaviour within the last 2 years:
 - violence or threats of violence
 - domestic abuse
 - physical, sexual or financial abuse
 - threatening behaviour or intimidation
 - harassment
 - discriminatory abuse or harassment
 - anti-social behaviour
 - drug dealing
 - property damage
- Giving false information or withholding information in relation to an application for housing within South Holland or any other area
- Receiving a Possession Order on fault based grounds against a social housing tenancy in the last 6 months.

6.7. In determining whether an applicant does not qualify due to Unacceptable Behaviour, we will consider:

- The seriousness of the applicant's behaviour
- The duration of the behaviour and/or the number and frequency of incidents
- The length of time that has elapsed since the behaviour took place
- Relevant vulnerabilities and support needs
- Whether there has been meaningful engagement with support agencies
- Whether there has been a significant and sustained change in the applicant's behaviour.

6.8. Applicants that do not qualify to join the Housing Register due to unacceptable behaviour will be refused access for a 12 month period backdated to the date of application. They will be informed in writing stating the reasons and their right to request a review of this decision.

6.9. At the end of the 12 month period, the applicant will need to approach the Council again and provide evidence that their behaviour has improved, and/or that they have taken action to help improve their chances of being accepted. If they qualify to join upon reassessment, the application will be placed into the appropriate band from the date the application was reassessed.

6.10. We will attempt to work collaboratively with the applicant and all relevant agencies including the police, probation, social services and prison service in an effort to resolve an applicant's ineligibility.

6.11. **Housing related debt**

- 6.12. Housing related debt concerns the following:
- Rent or service charge arrears for a current or former tenancy or licence
 - Recharge debts relating to a current or former tenancy or licence
 - Court costs relating to a current or former tenancy or licence
 - Debts relating to temporary accommodation placements, such as bed and breakfast or hostel accommodation placements
 - Mortgage arrears
 - Debts relating to rent in advance/deposit schemes or other homelessness prevention schemes
 - Housing Benefit/Universal Credit Housing Cost overpayments.
- 6.13. Only recoverable housing related debt will be considered. A debt is defined as not being recoverable where:
- the debt is statute barred
 - the debt is part of an Individual Voluntary Arrangement (IVA), Debt Relief Order (DRO) or bankruptcy arrangement.
- 6.14. Applicants who owe a housing related debt of £250 or more will not be able to access the Housing Register until they have adhered to a repayment plan for at least the last 12 consecutive weeks. The repayment plan will be determined by the Council in conjunction with the applicant.
- 6.15. Tenants of partner landlords (including tenants of South Holland District Council) must have clear rent accounts on their existing accommodation.
- 6.16. If there is evidence of genuine financial hardship or an overriding housing need, an applicant may be considered to qualify even if they have not been able to consistently maintain repayments for at least the last 12 consecutive weeks.
- 6.17. **Worsening of circumstances**
- 6.18. Applicants who are found to have worsened their housing circumstances in order to improve their prospects of receiving an offer of social housing will not be eligible for inclusion onto the Housing Register. Deliberate worsening of circumstances arises where the applicant or anyone in their household has given up accommodation that was suitable for their needs and where there was no requirement or obligation to do so. For example, an applicant moves from a secure tenancy to an insecure tenancy and it can be evidenced that they did this deliberately (or against professional advice) in order to increase their banding.
- 6.19. If we believe that the applicant has deliberately made their housing circumstances worse, inclusion onto the Housing Register will be refused for 12 months from the date the circumstances were worsened. Applicants will be informed in writing stating the reasons. Applicants will have the right to request a review of this decision.
- 6.20. At the end of the 12 month period, applicants can request reassessment of their application. On reassessment, the application will be placed into the appropriate band from the date the application was reassessed.
- 6.21. In some cases, people may have worsened their circumstances but did not do so to deliberately improve their banding. Reasons may include (but are not limited to) the applicant or anyone in their household who has within the past 12 months:
- abandoned a previous tenancy

- moved to new housing that is worse than their previous housing without good reason
 - moved from an adapted to an un-adapted home
 - sold a property or given notice on a tenancy without getting other housing first.
- 6.22 In this situation, we will refuse access for a period of 3 months. Inclusion onto the Housing Register will be refused for 3 months from the date the circumstances were worsened. Applicants will be informed in writing stating the reasons. Applicants will have the right to request a review of this decision.
- 6.23 At the end of the 3 month period, applicants can request reassessment of their application. On reassessment, the application will be placed into the appropriate band from the date the application was reassessed.
- 6.24 **Homeowners**
- 6.25 An applicant is not a qualifying person if they own a freehold or long leasehold interest in a property anywhere in the world. The only exceptions to this are where one or more of the following apply:
- Where the council is satisfied that an applicant is legally threatened with homelessness.
 - Where an applicant can demonstrate that there is an overwhelming welfare need (as assessed by the Council and its partners) that is best met through accommodation in the social housing sector.
 - Where the applicant is applying for and meets the criteria for sheltered accommodation. In this situation, an applicant will be considered to be a qualifying person but only for the purposes of being allocated sheltered accommodation.
 - Where the property is located in a country subject to active war.
- 6.26 **Applicants with sufficient income, savings, assets and equity**
- 6.27 An applicant will not be considered to be a qualifying person if:
- They have sufficient income, levels of assets or savings that would enable them to purchase or rent suitable accommodation on the open market. The annual income level will be set at one-third of the average lower quartile housing sale price for the district (published by Hometrack). This figure will be set annually in April based on the figure reported for October of the preceding year. For 2023/24, the limit per household is £62,000 gross income.
 - The threshold for household assets or savings will be consistent with the Government's upper limit for savings set out in the common rules of the DWP Benefit and Pension Rates (or any succeeding publication). For 2021/22, this limit is £16,000.
- 6.28 Where an applicant has a beneficial interest in a property, the applicant would be expected to demonstrate appropriate consideration regarding realising this interest.
- 6.29 **Local Connection**
- 6.30 To enhance mobility within South Holland, we will give preference to applicants with a local connection to South Holland. Local connection is defined in s199 Housing Act 1996:

- The applicant has lived through their own choice in the Council's Local Authority area for the six of the last twelve months, or had at least three years residence in the district during the previous five years.
- The applicant has parents, adult children, brothers or sisters residing in the district, and the relatives have been resident for the previous five years
- The applicant or a member of their household have paid employment or a confirmed offer of paid employment within South Holland. The main place of work must be located within South Holland and the employment would normally need to be for at least 16 hours per week and on a contract that is permanent or expected to last for a period of at least 12 months).
- The applicant is aged 18, 19 or 20 and was looked after, accommodated or fostered by Lincolnshire County Council between the ages of 16 and 18.
- The applicant is a former Lincolnshire County Council care leaver aged under 25 years and receives advice and support from Lincolnshire County Council under a 'pathway plan'.

6.31 Households with no local connection will be able to join the Register if they can demonstrate contribution to the district and have a housing need. Households in this category will remain in band 4.

6.32 As per Housing legislation, the local connection test does not apply to certain members, former members and bereaved spouses or partners of the Regular Armed forces as set out at paragraph 7.4 of this scheme and as required by s160ZA(8) of the Housing Act 1996. Further, the local connection test does not apply to those fleeing domestic violence.

7 THE STRUCTURE OF THE PRIORITY BANDING SYSTEM

7.1 A banding scheme has been adopted to prioritise the housing need of applicants. They are prioritised by date of registration within the band.

7.2 There are four housing bands

- Band 1 – Emergency Priority
- Band 2 – Urgent Priority
- Band 3 – High Housing Need
- Band 4 – Identified Housing Need

7.3 Further information on the banding categories can be found in appendix A.

7.4 Statutory Reasonable Preference

7.5 Section 166A(3) of the Housing Act 1996 states that certain groups of people shall have 'reasonable preference' within any scheme of allocation. These groups are:

- People who are homeless (within Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002); this includes people who are intentionally homeless, and those who are not in priority need;
- People who are unintentionally homeless or threatened with homelessness and who are in priority need who are owed a duty by any housing authority under section 193 (2) or 195 (2) of the Housing Act 1996 (or under Section 65 (2) or 68 (2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under Section 192 (3);
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;

- People who need to move on medical or welfare grounds, including grounds relating to disability;
- People who need to move to a particular locality in the area, where failure to meet that need would cause hardship (to themselves or to others).

7.6 Additional preference

7.7 Under s166A (3) a scheme of allocation can give additional preference to applicants with urgent housing needs in the following circumstances:

- Current and former members of the armed forces (even where there is no local connection) who:
 - are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
 - formerly served in the regular forces,
 - have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
 - are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
- Persons who are terminally ill and must move to suitable accommodation
- Other exceptional circumstances.

7.8 The date of application is backdated by 12 months in cases where additional preference is awarded.

8 LETTING PROPERTIES

8.1 Letting Bedroom Standard

8.2 Housing providers will generally let in accordance with the social size criteria, introduced by the Welfare Reform Act 2012. The rules allow 1 bedroom for

- Every adult couple
- Any other adults aged 16 or over
- Any 2 children of the same sex aged under 16*
- Any 2 children aged under 10*
- Children who can't share a bedroom because of a disability or medical condition
- A carer (or team of carers) providing overnight care

8.3 *Unborn children will be taken into account when assessing bedroom eligibility from week 26 of the pregnancy.

8.4 One spare bedroom is allowed for

- An approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement
- A newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

- 8.5 Rooms used by students and members of the armed or reserve forces will not be counted as 'spare' if they're away and intend to return home.
- 8.6 If an applicant shares the care of a child with the child's other parent, the child will be treated as living with the parent who provides the child's main home. If the child spends equal amounts of time with both parents, they will be treated as living with the parent who claims Child Benefit for them. This may mean that the applicant won't be allowed a bedroom for the child. The partner landlord might be lenient if there is low demand for the type of property requested and the applicant can provide evidence they can afford the rent payments.
- 8.7 **Sheltered housing**
- 8.8 Sheltered Housing provides communal living for individuals who wish to live independently. Letting of these properties is subject to additional qualification criteria.
- 8.9 The following will qualify for Sheltered Housing:
- Where the main applicant is at least 55 years of age regardless of sex,
 - Where no other member of the household is aged below 45 years of age, except a partner.
 - Where all other 'qualifying person' criteria tests in relation to local connection, unacceptable behaviour, owner-occupation and 'sufficient resources' are met.
- 8.10 The following may qualify for Sheltered Housing:
- The main applicant falls below the automatic qualification age, but in the view of the Council would benefit from living in the communal environment that sheltered housing provides including a need for the telecare service, or
 - Those ordinarily considered being 'non-qualifying persons' on the grounds of being owner-occupiers or having sufficient resources, but where individual need is demonstrated.
- In this scenario, the following must also be taken into account:
- Whether the applicant has a vulnerability and/or health and wellbeing need that is best met in a sheltered housing environment.
 - Whether the applicant has an overwhelming medical need that is best met in a sheltered housing environment.
- 8.11 All applicants for sheltered accommodation must agree to undertake the following:
- To subscribe to and pay for an alarm monitoring and assistance system
 - To allow quarterly home visits to test their alarm monitoring and assistance system.
- 8.12 **Accessible properties for people with disabilities**
- 8.13 Accessible properties are homes that have been designed for or significantly adapted to meet the needs of people with physical or sensory disabilities. We will prioritise applicants with an assessed need for accessible accommodation.
- 8.14 **Local lettings policies, planning conditions and s106 Agreements**
- 8.15 The Council may develop Local Lettings Policies for specific properties or areas, in order to meet local housing need or support the development of balanced and sustainable communities. Local Lettings Policies include criteria that are designed to address specific issues or needs. Examples of these criteria include:
- Village or Parish Connection

- Age
- Behaviour.

8.16 Consideration will always be given to the implications of a Local Lettings Policy for equal opportunities and the statutory 'reasonable preference' criteria. Overall, preference for allocations will be given to applicants in the reasonable preference categories and local lettings policies will not discriminate unjustifiably, directly or indirectly on the ground of a protected characteristic. Local Lettings Policies will be reviewed and removed once their objectives have been achieved.

8.17 New developments may have planning conditions with letting restrictions or Section 106 agreements. To support the delivery of balanced, sustainable communities, we will aim to allocate the new homes to a mixture of applicants with 50% of lets from band 1 and 50% of lets from band 2.

8.18 **Offering a property**

8.19 The Council reserves the right not to consider applicants in the following circumstances:

- Where the applicant is already under offer for a different property
- Where the applicant poses a risk to individuals or the community where the property is based
- Where there are Local Lettings Plans in place and the individual does not meet the criteria of the Plan
- Where the property is accessible and the household has no need for the adaptations - we will always aim to let an accessible property to a household that needs those adaptations. In some circumstances, priority may be given outside of date or band order, if the property is particularly suitable for the needs of an applicant.

8.20 **Allocations and Offers**

8.21 The Council's Housing Team will allocate properties in accordance with this Policy.

8.22 Properties will be shortlisted in the following order:

- By need for specialist components in the property e.g. disabled adaptations
- By housing band
- By registration date within the band.

8.23 If more than one applicant has the same band and registration date, we will allocate based on the individual housing circumstances of the case and all relevant factors.

8.24 We will match applicants who have a need for adaptations to accessible properties. A specialist such as an Occupational Therapist may be consulted on the suitability of the property.

8.25 Successful applicants will be offered the property in writing and will have 5 working days to respond to an offer of accommodation. Some applicants may be given longer to consider an offer, for example where there are identified vulnerabilities that significantly affect the applicant's ability to respond.

- 8.26 In the case of existing tenants of partner landlords (including SHDC Council tenants), and in accordance with paragraph 6.2 of this Scheme, prior to offer, the Council will make contact with the landlord to satisfy themselves that:
- The rent account of their existing property is clear
 - The property has been inspected and has been assessed as being in a good condition
 - There have been no breaches of tenancy conditions.
- The partner landlord is expected to provide this information within 5 working days.
- 8.27 All applicants will be required to provide documentary evidence to confirm the circumstances detailed on their application at the point of offer.
- 8.28 Additional steps will be required for the following scenarios:
- Where applicants are in homeless categories (Relief and Main Duty), a suitability check is required to confirm the property and location is suitable for the household. This is because it will be treated as a Final Offer of accommodation and the duty discharged.
 - Where applicants owe housing related debt of more than £250, they will need to supply evidence that they have adhered to a repayment plan for at least the last 12 consecutive weeks within 10 working days (subject to paragraph 6.16 of this Scheme). If this is not completed within the reasonable timescales, then the offer will be withdrawn.
 - Applicants may be required to complete an affordability assessment to confirm that the accommodation offered will be suitable. If this is not completed within the reasonable timescales, then the offer will be withdrawn.
 - Where applicants are subject to a Personalised Housing Plan all steps will need to be completed and all evidence provided within 5 working days of the offer being made. If this is not completed within the reasonable timescales, then the offer will be withdrawn.
- 8.29 **Withdrawal of offer**
- 8.30 The Council reserves the right to withdraw any offer of accommodation where there is just cause. The Council will explain to the applicant why an offer has been withdrawn.
- 8.31 If the applicant provides proof that demonstrates their circumstances have changed to such an extent that they are no longer eligible for the property, the offer will be withdrawn. If the applicant is unable to provide proof of their circumstances, the offer will be withdrawn and the application will be suspended until the required information has been provided and the application has been reassessed.
- 8.32 **Refusals of suitable offers**
- 8.33 Failure to respond to an offer within 5 working days will be treated as a refusal. If an applicant fails to respond to an offer, their application will be suspended pending contact and confirmation of their circumstances. The application will be cancelled if there is no contact within 28 days.
- 8.34 All applicants in Band 1 and applicants in 'ready to move on' category (band 2) will be subject to one suitable offer of accommodation in any location that the Council

believes to be suitable for the household. Applicants that have refused their maximum amount of offers will be disqualified from the Housing Register for a 12 month period, after which time a new application must be made.

8.35 If a homeless applicant who is owed the Relief Duty under Section 189B of the Housing Act 1996, the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 refuses a Final Offer of suitable accommodation, their application will be cancelled and they will lose their priority status and the relevant homeless duty will be discharged.

8.36 **Hard to Let Properties**

8.37 In order to ensure the best use of available housing stock, consideration will be given to changes in the qualification criteria for properties for which there is no waiting list.

8.38 The Council may consider advertising hard to let properties and letting these properties to residents that live in the district but do not meet the local connection criteria.

8.39 **Council tenancy sign-up process**

8.40 Before the tenancy is signed and keys released, applicants offered Council properties will be required to:

- show proof of submission of new tenancy information to DWP or the Council's Housing Benefit department where benefits are required or received. This applies to existing Universal Credit claimants or new claimants where a move will trigger a Universal Credit claim. A text message, email or screen shot of the Universal Credit online account will be acceptable.
- Arrange payment of four weeks rent in advance, unless there are extenuating circumstances where this amount may be reduced.

9 **DISCRETIONARY LETTINGS**

9.1 The lettings below can be made at the sole discretion of the Council and fall outside of the Allocations Policy:

- When one party gives notice on a joint tenancy this has the effect of bringing the whole tenancy to an end. In the case of existing Council tenancies, the Council will have regard to all the circumstances of the case and, if so requested, decide whether to grant a sole tenancy to the former joint tenant who remains in the property. Factors to be considered include (but are not limited to) responsibility for children, caring for a relative, the size of the property having regard to the household size of the applicant requesting the property, and the demand for that particular property at the time.
- Where the Family Court determines a transfer of tenancy - this is not considered an Allocation.

10 **REQUESTING A REVIEW AND THE HOUSING ASSESSMENT PANEL**

10.1. The Housing Assessment Panel will meet once a month and partner landlords will form part of this panel. A minimum of 3 members will be present.

10.2. The Housing Assessment Panel will consider the following:

- Review requests from the applicant

- Consideration around relaxation of the qualification criteria for exceptional cases (presented by partner landlords and Council Housing Officers).
- 10.3. Every Applicant has the right to request a review of;
- the band into which they have been placed
 - decisions taken in relation to their Registration
 - the suitability of the property/location where they have been offered (for homeless cases).
- 10.4. All requests for a review must be:
- in writing, addressed to the Housing Services Manager at South Holland District Council, Council Offices, Priory Road, Spalding, Lincs, PE11 2XE or email HAP@sholland.gov.uk
 - received within 21 days from the date of the decision letter, from the applicant(s) or their representative, clearly stating the grounds on which the review is being sought and providing any supporting evidence. Verbal representation will be allowed in exceptional circumstances.
- 10.5. The Housing Assessment Panel will review such requests and provide a written response within 56 days of receipt of the request setting out the reasons for the decision. The outcome of a review will always be given in writing.

Appendix A - Banding Structure

1. BAND 1 – EMERGENCY PRIORITY

- 1.1. Applicants in this band will be entitled to one suitable offer of accommodation in any area of the district that the council considers to be suitable. See section 8 for more information.
- 1.2. **Homeless Duty**
- 1.3. Homeless applicants who are owed the Main Housing Duty under Section 193(2) of the Housing Act 1996 by the Council.
- 1.4. The offer made will be treated as a final accommodation offer. If a homeless applicant refuses a final offer of suitable accommodation, (which may be an offer of private sector accommodation), the relevant homeless duty will be discharged and their application will be reassessed.
- 1.5. **Emergency medical, welfare or hardship**
- 1.6. There is a serious medical condition or disability that is made substantially worse by the current housing. This would include people whose life is at risk due to their current housing conditions or who are completely housebound because of the type of accommodation they live in.
- 1.7. **Dangerous or hazardous housing conditions**
- 1.8. Where an applicant is living in a private rented sector property and the Council has determined that the property poses a Category 1 hazard (excluding overcrowding) under the Housing Health and Safety Rating System, and there is no prospect of the disrepair being remedied within a timescale that the Council considers to be reasonable. Additionally, the Council has assessed and is satisfied that as a result of continuing to occupy, the accommodation will pose a considerable risk to the applicant's health.
- 1.9. A private sector property (either owned or rented) is subject to a Council prohibition or demolition order for disrepair.
- 1.10. Where the applicant has been assessed as statutorily overcrowded in accordance with the Housing Act 1985 and/or the Housing Act 2004. This does not apply if the applicant has been placed in the accommodation temporarily by the Council.

2. BAND 2 – URGENT PRIORITY

- 2.1. **Ready to 'Move-On'**
- 2.2. Where tenants of supported accommodation are ready to move on, leaving supported housing as part of an agreed plan to re-integrate into the community. It may be necessary to defer offers until the move-on plan and support needs have been assessed.
- 2.3. Applicants who are residing in accommodation provided by Lincolnshire County Council under Section 20 or Section 22A of the Children Act and are ready to move to independent accommodation.

- 2.4. Applicants residing in accommodation which are at risk of exclusion and ready to live independently. This category will only apply where mediation enables the applicant to continue to occupy the accommodation for at least 6 months.
- 2.5. Applicants in this category will be entitled to one suitable offer. A second offer will be made in rare and extreme circumstances at discretion of Assistant Director - Housing.
- 2.6. **Severe moderate medical, welfare or hardship**
- 2.7. The applicant or a member of their household has a medical condition that is severely impaired by their housing situation or their housing contributes to causing serious ill health.
- 2.8. Alternatively, there are exceptional circumstances where the only way a housing need can be resolved is through the use of discretion. In the interests of fairness to all applicants, these circumstances are kept to a minimum.
- 2.9. **Management need**
- 2.10. Applicants are social housing tenants within the district and
- have succeeded to or have been assigned a social housing tenancy in the district and are required to move to alternative accommodation as the property is not suitable for their needs because of its size or type.
 - are occupying a significantly adapted property and they no longer require the adaptations. (The award will be granted only where the landlord will be given vacant possession of the property).
 - are under-occupying the property and willing to downsize to a smaller property (This award does not apply where the applicant has been placed in any interim/temporary accommodation by any Local Authority).
 - require extensive disabled adaptations and are prepared to move to a property with such adaptations rather than adapting their existing home. Medical evidence will be required including Occupational Therapist recommendations.
- 2.11. Applicants are currently occupying social housing within the district who are not eligible to succeed to a social housing tenancy in the district but lived in the property with the tenant for at least 12 months prior to the tenant ceasing occupation, and continue to occupy the property.

3. BAND 3 – HIGH HOUSING NEED

3.1. At risk of homelessness or homeless

3.2. The following circumstances will come under this category:

- Applicants who are owed the Prevention Duty under Section 195 of the Housing Act 1996 by the Council.
- Applicants who are owed the Relief Duty under Section 189B (2) of the Housing Act 1996 by the Council.

3.3. Moderate medical, welfare or hardship

3.4. The applicant or a member of their household has a medical condition that is impaired by their housing situation, but they are generally able to cope. Alternatively, an applicant needs to move to relocate to give a defined and evidenced level of care or support (i.e. 20 hours of respite care per week).

3.5. Disrepair or other poor housing conditions

3.6. Applicants are living in accommodation that has disrepair, where the issues cannot be remedied by the landlord within a time period that the Council considers to be reasonable. This will be assessed in partnership with the Council's Private Sector Housing Team.

4. BAND 4 – IDENTIFIED HOUSING NEED

4.1. Not statutorily homeless

4.2. People who are not in priority need or are considered intentionally homeless and/or any relief duty has been discharged as per the Homeless Reduction Act 2017.

4.3. No security of tenure

4.4. The applicant has no security of tenure, for example lives with a resident landlord or is lodging with friends.

4.5. Overcrowding

4.6. The household requires one or more bedrooms than they presently have. They are not considered to be statutorily overcrowded in accordance with the Housing Act 1985 and/or the Housing Act 2004.

4.7. Other forms of tenancies

4.8. The applicant is renting a property and is not a social housing tenant.

4.9. Ex-armed forces personnel

4.10. Applicants who are current or former members of the armed services, or their bereaved spouse or civil partner, as set out at paragraph 7.4 of this Scheme, will qualify for a Band 4 award automatically.

4.11. Offer of employment

4.12. Applicants do not currently reside in the district but have paid employment or an offer of paid employment within the district.

4.13. Relationship breakdown

4.14. Applicant is a joint social housing tenant within the district and has suffered a relationship breakdown.

4.15. Sheltered Housing benefit

4.16. Applicants have no housing need but are aged 55 or over and seeking sheltered housing. They would benefit from the provision of a telecare service and the community aspect that sheltered housing provides.

4.17. No local connection

4.18. The applicant and their household do not meet the local connection criteria however

live in the district or can demonstrate contribution to the district and are in housing need. Community contribution is defined as an applicant or a household member undertaking voluntary work for at least ten hours per month and has done so for at least six months continuously.

Appendix B - Maximum number of offers of accommodation

BAND 1 – EMERGENCY PRIORITY	
Homeless Duty	1 offer
Emergency medical, welfare or hardship	
Dangerous or hazardous housing conditions	
BAND 2 – URGENT PRIORITY	
Ready to 'Move-On'	1 offer
Severe moderate medical, welfare or hardship	2 offers
Management need	2 offers
BAND 3 – HIGH HOUSING NEED	
At risk of homelessness or homeless	2 offers
Moderate medical, welfare or hardship	
Disrepair or other poor housing conditions	
BAND 4 – IDENTIFIED HOUSING NEED	
Not statutorily homeless	2 offers
No security of tenure	
Overcrowding	
Other forms of tenancies	
Ex-armed forces personnel	
Offer of employment	
Relationship breakdown	
Sheltered Housing benefit	
No local connection	

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Appendix B - South Holland District Council Housing Allocations Policy 2024

Changes highlighted in yellow

1. INTRODUCTION

- 1.1. The South Holland Housing Allocations Policy sets out how the Council will:
- assess applications for housing,
 - determine eligibility, qualification and level of housing need
 - prioritise applications
 - allocate accommodation.
- 1.2. In developing this Policy, the Council has taken into consideration the Housing Act 1996 (as amended), the Localism Act 2011, the statutory Code of Guidance on the Allocation of Accommodation June 2012 and other relevant legislation and government guidance. Some parts of this policy are set in legislation – it has been highlighted when this is the case.
- 1.3. This Policy is consistent with the Council's Corporate Plan, Countywide Homelessness Strategy and Rough Sleepers Strategy.
- 1.4. In developing this Policy, the Council has consulted with staff, partner landlords of social housing (formerly known as Housing Associations) with stock within South Holland, local voluntary and statutory agencies and elected members.
- 1.5. The Council's objectives for the Housing Allocations scheme policy is to:
- Provide an accessible, fair and transparent service
 - Meet local housing needs
 - Meet the housing needs of the most vulnerable
 - Prioritise those with the greatest/most urgent housing needs
 - Make the best use of existing social housing stock
 - Support and create safe and balanced sustainable communities
 - Offer applicants choice in relation to available accommodation.
- 1.6. The Council seeks to give all applicants choice in relation to location of accommodation but may have to limit choice in certain circumstances, such as where there is limited availability or where the Council is discharging a statutory duty to a homeless household.
- 1.7. Letting of Council properties and nominations to partner landlord's (set out in 3.1) within South Holland are covered by this Policy. This includes general needs accommodation for single persons, couples and families and sheltered accommodation.
- 1.8. The following types of allocation are **not** covered by this Policy:
- Tenancy successions
 - Tenancy assignments, such as mutual exchanges
 - Tenancy status changes, such as introductory to secure tenancies
 - Tenancy transfers pursuant to Court Orders
 - Management Allocations, such as:
 - Temporary lettings to existing Council tenants who need to be decanted pending major refurbishment or repair works

- Emergency management moves where there are extenuating circumstances and partner agencies support this move
- Temporary lettings to homeless households
- Where there is a legal requirement to offer accommodation to a household following a compulsory purchase of a property
- Where there is a legal requirement to offer accommodation to a displaced agricultural worker under the Rent (Agriculture) Act 1976.

1.9. The Council promotes equal opportunities and aims to implement and maintain services that ensure no applicant is treated unfairly on the grounds of age, sex, gender reassignment, marital status, pregnancy or maternity, sexual orientation, race, religious belief or disability or disadvantaged by the application of criteria that has a direct or indirect discriminatory effect that cannot be justified by law.

1.10. Personal information that the Council holds in relation to applications will be processed in accordance with Data Protection legislation. Information may need to be disclosed to Partner landlords or other landlords who may be able to offer accommodation. More information about how and why the Council may process personal data, data protection rights or how to contact the Council's Data Protection Officer is available in the Council's Privacy Notice, accessible on the Council's website.

2. EQUAL OPPORTUNITIES

2.1. South Holland District Council and partner landlords are committed to the promotion of equality of opportunity for all existing and potential applicants.

2.2. In drafting this policy South Holland District Council has had regard to its public sector equality duty under s149 of the Equality Act 2010, in respect of the protected characteristics set out therein and has had regard to:

- Eliminating unlawful discrimination, harassment and victimisation
- Advancing equality of opportunity between different groups; and
- Fostering good relations between different groups.

2.3. As permitted by the Localism Act 2011, preference for allocations will be given to applicants in the reasonable preference categories and local lettings policies will not unjustifiably discriminate against persons possessing protected characteristics.

2.4. Where necessary, the Council will seek to provide interpretation and translation facilities, within a reasonable timescale, as well as using alternative or additional methods of communication.

3. PARTNERSHIPS

3.1. Applicants will be considered for housing with the following partner landlords (and their successors and assigns) and any other suitable partner landlords as the Council may determine from time-to-time, by applying to the South Holland Housing Register:

- South Holland District Council
- South Holland Homes
- Longhurst Group
- Platform Housing Group
- Broadgate Homes
- Accent Housing
- CKH - Cross Keys Homes

- Hastoe Housing Association
 - LHP- Lincolnshire Housing Partnership
 - Lincolnshire Rural Housing Association
 - Muir Group Housing Association
 - Welland Homes Ltd
 - Sage Homes.
- 3.2 The named partners have been consulted with throughout the development of the policy to ensure their views could be taken into consideration.
- 3.3 By making an application to join the Housing Register, the customer consents to their information being accessed by all our partner landlords.
- 3.4 Each partner landlord will sign an Information Sharing Agreement with the Council which requires them to hold all customer information in accordance with data protection legislation and to take all reasonable care and diligence in performing its obligations in relation to the Housing Register.
- 3.5 The partner landlords will not disclose confidential information to a third party except where:
- the individual who is the subject of the confidential information has consented to the disclosure;
 - the Partner landlord or the Council is required by law to make such disclosures; or
 - disclosure is made in accordance with an information sharing protocol.
- 3.6 The Information Sharing Agreement states that this clause will continue in perpetuity despite any termination or expiry of the agreement.
- 3.7 Partner landlords with housing stock within the South Holland district are expected to let their properties through the Housing Register as nominations. Nominations for s106 properties will be let in accordance with the relevant nomination agreement.

4. THE HOUSING REGISTER

- 4.1. The Council maintains a Housing Register of households who are applying for Council or partner landlord properties within South Holland.
- 4.2. **Applying to the Register**
- 4.3. Individuals are usually only expected to be part of one active application at any one time, either as a main or joint applicant, or as a member of an applicant's household. Exceptions to this will be considered on a case-by-case basis.
- 4.4. Individuals must apply online at www.sholland.gov.uk. Where exceptional circumstances exist, alternative arrangements will be made available by the Council – this may include referring the applicant to an outside organisation.
- 4.5. **Applications from members of staff, board members, employees and their close relatives**

- 4.6. Council employees, elected members and their immediate relatives may apply for housing in the same way as other customers. However, those that fall into these groups must declare their status as part of their application.
- 4.7. When handling an application from an individual that falls into one or more of these groups, the Assistant Director – Housing at South Holland District Council will be the officer responsible for verifying and approving the following:
- The level of priority awarded to the application.
 - The vetting of offers of accommodation made as part of this scheme.
- 4.8. **Young people aged 16 or 17**
- 4.9. Legislation allows for young persons aged 16 and 17 years old to apply to the Register in the same way as any other customer, however the law prevents those in this age group from holding the legal interest of a tenancy agreement until they turn 18 years of age. Any offers of accommodation to a 16 or 17 year old are likely to be dependent upon the specific requirements of the partner landlord.
- 4.10. In general, applicants that fall within this age group will require a trustee to hold the legal tenancy on trust, and will only be made an offer of accommodation where all of the following apply: **Change of language, same approach**
- the applicant's support needs have been assessed; and
 - they are considered to be:
 - able to maintain a tenancy without support, or
 - able to maintain a tenancy with support, and that support arrangements are in place; and
 - the applicant has or will have the financial means to cover the rent.
- 4.11. The details of the specific requirements of each partner landlord can be made available on request.
- 4.12. **Providing information**
- 4.13. The information included on the application must be accurate and not misleading. Applicants will be required to promptly provide documentary evidence to support the information on their application and demonstrate that they have a housing need, for example proof of identity, address, income, savings and custody/access to children.
- 4.14. Applicants who have indicated that they have a medical, mobility, welfare or hardship need will be required to provide supporting evidence and may need to be referred to an appropriate agency for an assessment.
- 4.15. **Consent to share data and information**
- 4.16. In order to access the Housing Register, the applicant must grant the Council consent to make necessary enquiries that will enable it to verify their circumstances. These enquiries may include:
- Credit agency reference checks in order to verify present and previous addresses, household information, instances of housing related debt and income details.
 - Cross referencing details with Housing Benefit and Council Tax records.
 - Contacting previous or existing landlords to establish whether tenancy terms have been adhered to.

- Contacting other partner agencies such as the Police and the Council's Community Safety Team in order to verify incidents of anti-social behaviour.
- Contacting border agencies and embassies in order to establish whether an applicant has an interest in land and/or property outside of the UK.

4.17. The Council may make any further enquiries it deems necessary in order to confirm the information provided on an application. Applicants may be required to provide further information and evidence in relation to their circumstances.

4.18. At point of entering into a new social housing tenancy, social housing providers will share information about the new tenant and their household with the Department for Levelling Up, Housing and Communities. This data is recorded for research and statistical purposes. Further information is available at <https://core.communities.gov.uk/> **NEW**

4.19. Applicant declaration and false statements

4.20. In order to access the Housing Register, applicants will be required to declare that the information provided as part of their application is accurate and true. Applicants will also be asked to declare any of the following:

- Details regarding income and assets, including any interest in land and/or property.
- Details of any criminal convictions, previous possession orders or injunctions made against them and any incidents of anti-social behaviour
- Details of any outstanding housing related debts, including rent and mortgage arrears.

4.21. A number of Acts make it a criminal offence to engage in social housing fraud, including the Fraud Act 2006. Additionally, it is a criminal offence under s.171 of the Housing Act 1996 for an applicant to knowingly or recklessly provide false information, withhold information or allow a third party to provide false information on their behalf in relation to a Housing Register application. Such an offence could result in prosecution and an unlimited fine. If an applicant provides false information, withholds information or allows a third party to provide false information on their behalf, the Council reserves the right to disqualify the applicant from the register, withdraw any offer of accommodation and recover possession of any tenancy obtained.

4.22. Statement on choice

4.23. In applying to the Housing Register, applicants will be able to express choice over the following:

- The areas of the district that they wish to be considered for an allocation of accommodation
- The broad property type that they wish to be considered for (i.e. house, flat, bungalow etc) and that meets their needs.

Applicants can vary their choices at any stage during the time whilst they hold a live Housing Register application.

4.24. Where the Council accepts a Relief or Main Housing Duty (Housing Act 1996), area choices and property types will be determined by the Council as part of a suitability assessment.

4.25. Assessment of applications

- 4.26. The Council will assess completed applications and the supporting evidence provided. They will decide whether the applicant qualifies for the Housing Register, which banding is applicable to their circumstances and the type of properties they are eligible for. Incomplete applications will not be assessed and will be cancelled after 28 calendar days.
- 4.27. If an applicant is accepted onto the Housing Register, the applicant will be notified of the band their application has been placed in, the property type and areas they will be considered for.
- 4.28. If an applicant is refused access to the Housing Register, the applicant will be notified in writing that their application has been refused and the reasons why.
- 4.29. **Changes in circumstances**
- 4.30. Applicants must notify the Council of any relevant change in their circumstances. Following notification of a change in circumstances, the application will be reassessed and may be moved from one band to another, or removed from the Register. Applicants will be notified of the outcome in writing.
- 4.31. **Review of circumstances**
- 4.32. Applicants within Band 1 will be contacted every 6 months to determine whether the circumstances/needs that led to the award are still prevailing. If upon the Council's reassessment a lesser award is given, the application will be given the original date of registration.
- 4.33. Applicants within all other bands will be contacted at least every 12 months to determine whether the circumstances/needs that led to the award are still prevailing.
- 4.34. Applicants must respond to such requests within a specified time period (normally 14 calendar days). Failure to respond within the specified time period will result in the application being cancelled.
- 4.35. If at any time the Council receives evidence that an applicant who has already been accepted onto the Housing Register no longer qualifies, the applicant will be notified in writing that their application has been cancelled and the reasons for the cancellation. The applicant has a right to appeal this decision.
- 4.36. **Application Types**
- 4.37. Any applicant who does not hold an introductory, secure, starter, full assured or fixed-term tenancy with a Council or partner landlord will be regarded as a new applicant.
- 4.38. Any existing social housing tenant who holds a tenancy (i.e. an introductory, secure, starter, full assured or fixed-term flexible tenancy) with a Council or partner landlord will be regarded as a transfer applicant.

5. ELIGIBILITY FOR OFFERS OF ACCOMMODATION UNDER PART 6 HOUSING ACT 1996

- 5.1. In considering an application, the Council will firstly assess if an applicant is eligible for an allocation of accommodation and secondly, whether an applicant qualifies for an allocation of accommodation. To join the Register, applicants must be eligible as per Part 6 Housing Act 1996 and meet the qualification criteria (see section 6).

- 5.2. Eligibility and/or qualification status can change and accordingly can be reassessed by the Council at any point. All applicants will be required to provide evidence to verify both their eligibility and qualification status at the point of application and again at the point of allocation.
- 5.3. Persons subject to immigration control - the Housing Act 1996 s160ZA determines that a person(s) who fall(s) into the following categories may not be allocated accommodation:
- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he or she comes within a class prescribed in regulations made by the Secretary of State) or
 - Other persons from abroad who are not subject to immigration control but are prescribed by regulations as not eligible for an allocation of accommodation including British citizens not currently residing in the UK and therefore not Habitually Resident or
 - Any persons who is excluded from entitlement to universal credit or housing benefit by virtue of s115 Immigration and Asylum Act 1999
- 5.4 In respect of People from Northern Ireland and those who are Stateless, we will comply with the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (S.I. 2006/1294) as amended by the Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020.

6. QUALIFICATION

- 6.1. An applicant does not qualify to join the Register in any of the following circumstances:
- The applicant or members of their household have been found guilty of **or otherwise proven in a court of law to have** engaged in 'unacceptable behaviour' which would make them unsuitable to be a tenant including owing a housing related debt (subject to paragraph 6.16).
 - The applicant or members of their household owns a freehold or long leasehold interest in a property. The only exceptions to this are where there is an overwhelming welfare need, as assessed by the Council and its partners, **or where the property is located in a country subject to active war.**
 - The household's annual income and/or savings and assets would enable them to purchase or rent suitable accommodation on the open market.
 - The applicant is presently serving a custodial sentence, and therefore unable to take up an offer of accommodation
 - The applicant is incapable in law of holding a legal tenancy
 - The applicant has refused the maximum number of suitable offers applicable (as per 8.32).
- 6.2. In general, tenants of partner landlords may be considered as qualifying persons at point of application and offer, but will usually not be provided with an offer of accommodation until the following has been satisfied:
- The rent account of their existing property is clear.
 - The property has been inspected and has been assessed as being in a good condition.
 - There have been no breaches of tenancy conditions within the last 12 months.
- 6.3. Tenants of partner landlords who wish to transfer must obtain a written reference from their landlord covering the points in 6.2 before joining the Housing Register. All transfer

applicants must usually have held their current tenancy for a period of at least twelve months before being considered for a transfer. A further reference will be required at point of offer.

6.4. Unacceptable behaviour

6.5. Applicants who are unsuitable to be a tenant because they (or any member of their household) have been responsible for unacceptable behaviour will not qualify to join the Housing Register for a period of at least 12 months **from point of application**. The applicant's behaviour, and that of any household member, will be taken into account at registration and offer stage.

6.6. Examples of unacceptable behaviour include (but are not limited to):

- Being found guilty **of or otherwise proven in a court of law to have** engaged in the following behaviour within the last 2 years:
 - violence or threats of violence
 - domestic abuse
 - physical, sexual or financial abuse
 - threatening behaviour or intimidation
 - harassment
 - discriminatory abuse or harassment
 - anti-social behaviour
 - drug dealing
 - property damage
- Giving false information or withholding information in relation to an application for housing within South Holland or any other area
- Receiving a Possession Order on fault based grounds against a social housing tenancy in the last 6 months.

6.7. In determining whether an applicant does not qualify due to Unacceptable Behaviour, we will consider:

- The seriousness of the applicant's behaviour
- The duration of the behaviour and/or the number and frequency of incidents
- The length of time that has elapsed since the behaviour took place
- Relevant vulnerabilities and support needs
- Whether there has been meaningful engagement with support agencies
- Whether there has been a significant and sustained change in the applicant's behaviour.

6.8. Applicants that do not qualify to join the Housing Register due to unacceptable behaviour will be refused access for a 12 month period **backdated to the date of application**. They will be informed in writing stating the reasons and their right to request a review of this decision.

6.9. At the end of the 12 month period, the applicant will need to approach the Council again and provide evidence that their behaviour has improved, and/or that they have taken action to help improve their chances of being accepted. If they qualify to join upon reassessment, the application will be placed into the appropriate band from the date the application was reassessed.

6.10. We will attempt to work collaboratively with the applicant and all relevant agencies including the police, probation, social services and prison service in an effort to resolve an applicant's ineligibility.

6.11. **Housing related debt**

6.12. Housing related debt concerns the following:

- Rent or service charge arrears for a current or former tenancy or licence
- Recharge debts relating to a current or former tenancy or licence
- Court costs relating to a current or former tenancy or licence
- Debts relating to temporary accommodation placements, such as bed and breakfast or hostel accommodation placements
- Mortgage arrears
- Debts relating to rent in advance/deposit schemes or other homelessness prevention schemes
- Housing Benefit/Universal Credit Housing Cost overpayments.

6.13. Only recoverable housing related debt will be considered. A debt is defined as not being recoverable where:

- the debt is statute barred
- the debt is part of an Individual Voluntary Arrangement (IVA), **Debt Relief Order (DRO)** or bankruptcy arrangement.

6.14. Applicants who owe a housing related debt of £250 or more will not be able to access the Housing Register until they have adhered to a repayment plan for at least the last 12 consecutive weeks. The repayment plan will be determined by the Council in conjunction with the applicant.

6.15. Tenants of partner landlords (including tenants of South Holland District Council) must have clear rent accounts on their existing accommodation.

6.16. If there is evidence of genuine financial hardship or an overriding housing need, an applicant may be considered to qualify even if they have not been able to consistently maintain repayments for at least the last 12 consecutive weeks.

6.17. **Worsening of circumstances**

6.18. Applicants who are found to have worsened their housing circumstances in order to improve their prospects of receiving an offer of social housing will not be eligible for inclusion onto the Housing Register. Deliberate worsening of circumstances arises where the applicant or anyone in their household has given up accommodation that was suitable for their needs and where there was no requirement or obligation to do so. For example, an applicant moves from a secure tenancy to an insecure tenancy and it can be evidenced that they did this deliberately (or against professional advice) in order to increase their banding.

6.19. If we believe that the applicant has deliberately made their housing circumstances worse, inclusion onto the Housing Register will be refused for 12 months from the date the circumstances were worsened. Applicants will be informed in writing stating the reasons. Applicants will have the right to request a review of this decision.

6.20. At the end of the 12 month period, applicants can request reassessment of their application. On reassessment, the application will be placed into the appropriate band from the date the application was reassessed.

6.21. In some cases, people may have worsened their circumstances but did not do so to deliberately improve their banding. Reasons may include (but are not limited to) the applicant or anyone in their household who has within the past 12 months:

- abandoned a previous tenancy
 - moved to new housing that is worse than their previous housing without good reason
 - moved from an adapted to an un-adapted home
 - sold a property or given notice on a tenancy without getting other housing first.
- 6.22 In this situation, we will refuse access for a period of 3 months. Inclusion onto the Housing Register will be refused for 3 months from the date the circumstances were worsened. Applicants will be informed in writing stating the reasons. Applicants will have the right to request a review of this decision.
- 6.23 At the end of the 3 month period, applicants can request reassessment of their application. On reassessment, the application will be placed into the appropriate band from the date the application was reassessed.
- 6.24 **Homeowners**
- 6.25 An applicant is not a qualifying person if they own a freehold or long leasehold interest in a property anywhere in the world. The only exceptions to this are where one or more of the following apply:
- Where the council is satisfied that an applicant is legally threatened with homelessness.
 - Where an applicant can demonstrate that there is an overwhelming welfare need (as assessed by the Council and its partners) that is best met through accommodation in the social housing sector.
 - Where the applicant is applying for and meets the criteria for sheltered accommodation. In this situation, an applicant will be considered to be a qualifying person but only for the purposes of being allocated sheltered accommodation.
 - Where the property is located in a country subject to active war.
- 6.26 **Applicants with sufficient income, savings, assets and equity**
- 6.27 An applicant will not be considered to be a qualifying person if:
- They have sufficient income, levels of assets or savings that would enable them to purchase or rent suitable accommodation on the open market. The annual income level will be set at one-third of the average lower quartile housing sale price for the district (published by Hometrack). This figure will be set annually in April based on the figure reported for October of the preceding year. For 2023/24, the limit per household is £62,000 gross income.
 - The threshold for household assets or savings will be consistent with the Government's upper limit for savings set out in the common rules of the DWP Benefit and Pension Rates (or any succeeding publication). For 2021/22, this limit is £16,000.
- 6.28 Where an applicant has a beneficial interest in a property, the applicant would be expected to demonstrate appropriate consideration regarding realising this interest.
- 6.29 **Local Connection**
- 6.30 To enhance mobility within South Holland, we will give preference to applicants with a local connection to South Holland. Local connection is defined in s199 Housing Act

1996:

- The applicant has lived through their own choice in the Council's Local Authority area for the six of the last twelve months, or had at least three years residence in the district during the previous five years.
- The applicant has parents, adult children, brothers or sisters residing in the district, and the relatives have been resident for the previous five years
- The applicant or a member of their household have paid employment or a confirmed offer of paid employment within South Holland. The main place of work must be located within South Holland and the employment would normally need to be for at least 16 hours per week and on a contract that is permanent or expected to last for a period of at least 12 months).
- The applicant is aged 18, 19 or 20 and was looked after, accommodated or fostered by Lincolnshire County Council between the ages of 16 and 18.
- The applicant is a former Lincolnshire County Council care leaver aged under 25 years and receives advice and support from Lincolnshire County Council under a 'pathway plan'.

6.31 Households with no local connection will be able to join the Register if they can demonstrate contribution to the district and have a housing need. Households in this category will remain in band 4.

6.32 As per Housing legislation, the local connection test does not apply to certain members, former members and bereaved spouses or partners of the Regular Armed forces as set out at paragraph 7.4 of this scheme and as required by s160ZA(8) of the Housing Act 1996. Further, the local connection test does not apply to those fleeing domestic violence.

7 THE STRUCTURE OF THE PRIORITY BANDING SYSTEM

7.1 A banding scheme has been adopted to prioritise the housing need of applicants. They are prioritised by date of registration within the band.

7.2 There are four housing bands

- Band 1 – Emergency Priority
- Band 2 – Urgent Priority
- Band 3 – High Housing Need
- Band 4 – Identified Housing Need

7.3 Further information on the banding categories can be found in appendix A.

7.4 Statutory Reasonable Preference

7.5 Section 166A(3) of the Housing Act 1996 states that certain groups of people shall have 'reasonable preference' within any scheme of allocation. These groups are:

- People who are homeless (within Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002); this includes people who are intentionally homeless, and those who are not in priority need;
- People who are unintentionally homeless or threatened with homelessness and who are in priority need who are owed a duty by any housing authority under section 193 (2) or 195 (2) of the Housing Act 1996 (or under Section 65 (2) or 68 (2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under Section 192 (3);

- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds, including grounds relating to disability;
- People who need to move to a particular locality in the area, where failure to meet that need would cause hardship (to themselves or to others).

7.6 Additional preference

7.7 Under s166A (3) a scheme of allocation can give additional preference to applicants with urgent housing needs in the following circumstances:

- Current and former members of the armed forces (even where there is no local connection) who:
 - are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
 - formerly served in the regular forces,
 - have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
 - are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
- Persons who are terminally ill and must move to suitable accommodation
- Other exceptional circumstances.

7.8 The date of application is backdated by 12 months in cases where additional preference is awarded.

8 LETTING PROPERTIES

8.1 Letting Bedroom Standard

8.2 Housing providers will generally let in accordance with the social size criteria, introduced by the Welfare Reform Act 2012. The rules allow 1 bedroom for

- Every adult couple
- Any other adults aged 16 or over
- Any 2 children of the same sex aged under 16*
- Any 2 children aged under 10*
- Children who can't share a bedroom because of a disability or medical condition
- A carer (or team of carers) providing overnight care

8.3 *Unborn children will be taken into account when assessing bedroom eligibility from week 26 of the pregnancy.

8.4 One spare bedroom is allowed for

- An approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement
- A newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

- 8.5 Rooms used by students and members of the armed or reserve forces will not be counted as 'spare' if they're away and intend to return home.
- 8.6 If an applicant shares the care of a child with the child's other parent, the child will be treated as living with the parent who provides the child's main home. If the child spends equal amounts of time with both parents, they will be treated as living with the parent who claims Child Benefit for them. This may mean that the applicant won't be allowed a bedroom for the child. The partner landlord might be lenient if there is low demand for the type of property requested and the applicant can provide evidence they can afford the rent payments.
- 8.7 **Sheltered housing**
- 8.8 Sheltered Housing provides communal living for individuals who wish to live independently. Letting of these properties is subject to additional qualification criteria.
- 8.9 The following will qualify for Sheltered Housing:
- Where the main applicant is at least 55 years of age regardless of sex,
 - Where no other member of the household is aged below 45 years of age, except a partner.
 - Where all other 'qualifying person' criteria tests in relation to local connection, unacceptable behaviour, owner-occupation and 'sufficient resources' are met.
- 8.10 The following may qualify for Sheltered Housing:
- The main applicant falls below the automatic qualification age, but in the view of the Council would benefit from living in the communal environment that sheltered housing provides including a need for the telecare service, or
 - Those ordinarily considered being 'non-qualifying persons' on the grounds of being owner-occupiers or having sufficient resources, but where individual need is demonstrated.
- In this scenario, the following must also be taken into account:
- Whether the applicant has a vulnerability and/or health and wellbeing need that is best met in a sheltered housing environment.
 - Whether the applicant has an overwhelming medical need that is best met in a sheltered housing environment.
- 8.11 All applicants for sheltered accommodation must agree to undertake the following:
- To subscribe to and pay for an alarm monitoring and assistance system
 - To allow quarterly home visits to test their alarm monitoring and assistance system.
- 8.12 **Accessible properties for people with disabilities**
- 8.13 Accessible properties are homes that have been designed for or significantly adapted to meet the needs of people with physical or sensory disabilities. We will prioritise applicants with an assessed need for accessible accommodation.
- 8.14 **Local lettings policies, planning conditions and s106 Agreements**
- 8.15 The Council may develop Local Lettings Policies for specific properties or areas, in order to meet local housing need or support the development of balanced and sustainable communities. Local Lettings Policies include criteria that are designed to address specific issues or needs. Examples of these criteria include:

- Village or Parish Connection
- Age
- Behaviour.

8.16 Consideration will always be given to the implications of a Local Lettings Policy for equal opportunities and the statutory 'reasonable preference' criteria. Overall, preference for allocations will be given to applicants in the reasonable preference categories and local lettings policies will not discriminate unjustifiably, directly or indirectly on the ground of a protected characteristic. Local Lettings Policies will be reviewed and removed once their objectives have been achieved.

8.17 New developments may have planning conditions with letting restrictions or Section 106 agreements. To support the delivery of balanced, sustainable communities, we will aim to allocate the new homes to a mixture of applicants with 50% of lets from band 1 and 50% of lets from band 2.

8.18 **Offering a property**

8.19 The Council reserves the right not to consider applicants in the following circumstances:

- Where the applicant is already under offer for a different property
- Where the applicant poses a risk to individuals or the community where the property is based
- Where there are Local Lettings Plans in place and the individual does not meet the criteria of the Plan
- Where the property is accessible and the household has no need for the adaptations - we will always aim to let an accessible property to a household that needs those adaptations. In some circumstances, priority may be given outside of date or band order, if the property is particularly suitable for the needs of an applicant.

8.20 **Allocations and Offers**

8.21 The Council's Housing Team will allocate properties in accordance with this Policy.

8.22 Properties will be shortlisted in the following order:

- By need for specialist components in the property e.g. disabled adaptations
- By housing band
- By registration date within the band.

8.23 If more than one applicant has the same band and registration date, we will allocate based on the individual housing circumstances of the case and all relevant factors.

8.24 We will match applicants who have a need for adaptations to accessible properties. A specialist such as an Occupational Therapist may be consulted on the suitability of the property.

8.25 Successful applicants will be offered the property in writing and will have 5 working days to respond to an offer of accommodation. Some applicants may be given longer

to consider an offer, for example where there are identified vulnerabilities that significantly affect the applicant's ability to respond.

8.26 In the case of existing tenants of partner landlords (including SHDC Council tenants), and in accordance with paragraph 6.2 of this Scheme, prior to offer, the Council will make contact with the landlord to satisfy themselves that:

- The rent account of their existing property is clear
- The property has been inspected and has been assessed as being in a good condition
- There have been no breaches of tenancy conditions.

The partner landlord is expected to provide this information within 5 working days.

8.27 All applicants will be required to provide documentary evidence to confirm the circumstances detailed on their application at the point of offer.

8.28 Additional steps will be required for the following scenarios:

- Where applicants are in homeless categories (Relief and Main Duty), a suitability check is required to confirm the property and location is suitable for the household. This is because it will be treated as a Final Offer of accommodation and the duty discharged.
- Where applicants owe housing related debt of more than £250, they will need to supply evidence that they have adhered to a repayment plan for at least the last 12 consecutive weeks within 10 working days (subject to paragraph 6.16 of this Scheme). If this is not completed within the reasonable timescales, then the offer will be withdrawn.
- Applicants may be required to complete an affordability assessment to confirm that the accommodation offered will be suitable. If this is not completed within the reasonable timescales, then the offer will be withdrawn.
- Where applicants are subject to a Personalised Housing Plan all steps will need to be completed and all evidence provided within 5 working days of the offer being made. If this is not completed within the reasonable timescales, then the offer will be withdrawn.

8.29 **Withdrawal of offer**

8.30 The Council reserves the right to withdraw any offer of accommodation where there is just cause. The Council will explain to the applicant why an offer has been withdrawn.

8.31 If the applicant provides proof that demonstrates their circumstances have changed to such an extent that they are no longer eligible for the property, the offer will be withdrawn. If the applicant is unable to provide proof of their circumstances, the offer will be withdrawn and the application will be suspended until the required information has been provided and the application has been reassessed.

8.32 **Refusals of suitable offers**

8.33 Failure to respond to an offer within 5 working days will be treated as a refusal. If an applicant fails to respond to an offer, their application will be suspended pending contact and confirmation of their circumstances. The application will be cancelled if there is no contact within 28 days.

- 8.34 All applicants in Band 1 and applicants in 'ready to move on' category (band 2) will be subject to one suitable offer of accommodation in any location that the Council believes to be suitable for the household. Applicants that have refused their maximum amount of offers will be disqualified from the Housing Register for a 12 month period, after which time a new application must be made. **See table on 'offers' at appendix B for clarity.**

~~If a homeless applicant who is owed the Relief Duty under Section 189B of the Housing Act 1996, the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 refuses a Final Offer of suitable accommodation, their application will be cancelled and they will lose their priority status and the relevant homeless duty will be discharged.~~ **Deleted - no longer relevant**

8.35 **Hard to Let Properties**

- 8.36 In order to ensure the best use of available housing stock, consideration will be given to changes in the qualification criteria for properties for which there is no waiting list.

- 8.37 The Council may consider advertising hard to let properties and letting these properties to residents that live in the district but do not meet the local connection criteria.

8.38 **Council tenancy sign-up process**

- 8.39 Before the tenancy is signed and keys released, applicants offered Council properties will be required to:

- show proof of submission of new tenancy information to DWP or the Council's Housing Benefit department where benefits are required or received. This applies to existing Universal Credit claimants or new claimants where a move will trigger a Universal Credit claim. A text message, email or screen shot of the Universal Credit online account will be acceptable.
- Arrange payment of four weeks rent in advance, unless there are extenuating circumstances where this amount may be reduced.

9 **DISCRETIONARY LETTINGS**

- 9.1 The lettings below can be made at the sole discretion of the Council and fall outside of the Allocations Policy:

- When one party gives notice on a joint tenancy this has the effect of bringing the whole tenancy to an end. In the case of existing Council tenancies, the Council will have regard to all the circumstances of the case and, if so requested, decide whether to grant a sole tenancy to the former joint tenant who remains in the property. Factors to be considered include (but are not limited to) responsibility for children, caring for a relative, the size of the property having regard to the household size of the applicant requesting the property, and the demand for that particular property at the time.
- Where the Family Court determines a transfer of tenancy - this is not considered an Allocation.

10 **REQUESTING A REVIEW AND THE HOUSING ASSESSMENT PANEL**

- 10.1. The Housing Assessment Panel will meet once a month and partner landlords will form part of this panel. A minimum of 3 members will be present.

- 10.2. The Housing Assessment Panel will consider the following:
- Review requests from the applicant
 - Consideration around relaxation of the qualification criteria for exceptional cases (presented by partner landlords and Council Housing Officers).
- 10.3. Every Applicant has the right to request a review of;
- the band into which they have been placed
 - decisions taken in relation to their Registration
 - the suitability of the property/location where they have been offered (for homeless cases).
- 10.4. All requests for a review must be:
- in writing, addressed to the Housing Services Manager at South Holland District Council, Council Offices, Priors Road, Spalding, Lincs, PE11 2XE or email HAP@sholland.gov.uk
 - received within 21 days from the date of the decision letter, from the applicant(s) or their representative, clearly stating the grounds on which the review is being sought and providing any supporting evidence. Verbal representation will be allowed in exceptional circumstances.
- 10.5. The Housing Assessment Panel will review such requests and provide a written response within 56 days of receipt of the request setting out the reasons for the decision. The outcome of a review will always be given in writing.

Appendix A - Banding Structure

1. BAND 1 – EMERGENCY PRIORITY

- 1.1. Applicants in this band will be entitled to one suitable offer of accommodation in any area of the district that the council considers to be suitable. See section 8 for more information.
- 1.2. **Homeless Duty**
- 1.3. Homeless applicants who are owed the Main Housing Duty under Section 193(2) of the Housing Act 1996 by the Council.
- 1.4. The offer made will be treated as a final accommodation offer. If a homeless applicant refuses a final offer of suitable accommodation, (which may be an offer of private sector accommodation), the relevant homeless duty will be discharged and their application will be reassessed.
- 1.5. **Emergency medical, welfare or hardship**
- 1.6. There is a serious medical condition or disability that is made substantially worse by the current housing. This would include people whose life is at risk due to their current housing conditions or who are completely housebound because of the type of accommodation they live in.
- 1.7. **Dangerous or hazardous housing conditions**
- 1.8. Where an applicant is living in a private rented sector property and the Council has determined that the property poses a Category 1 hazard (excluding overcrowding) under the Housing Health and Safety Rating System, and there is no prospect of the disrepair being remedied within a timescale that the Council considers to be reasonable. Additionally, the Council has assessed and is satisfied that as a result of continuing to occupy, the accommodation will pose a considerable risk to the applicant's health.
- 1.9. A private sector property (either owned or rented) is subject to a Council prohibition or demolition order for disrepair.
- 1.10. Where the applicant has been assessed as statutorily overcrowded in accordance with the Housing Act 1985 and/or the Housing Act 2004. This does not apply if the applicant has been placed in the accommodation temporarily by the Council.

2. BAND 2 – URGENT PRIORITY

- 2.1. **Ready to 'Move-On'**
- 2.2. Where tenants of supported accommodation are ready to move on, leaving supported housing as part of an agreed plan to re-integrate into the community. It may be necessary to defer offers until the move-on plan and support needs have been assessed.
- 2.3. Applicants who are residing in accommodation provided by Lincolnshire County Council under Section 20 or Section 22A of the Children Act and are ready to move to independent accommodation.

- 2.4. Applicants residing in accommodation which are at risk of exclusion and ready to live independently. This category will only apply where mediation enables the applicant to continue to occupy the accommodation for at least 6 months.
- 2.5. Applicants in this category will be entitled to one suitable offer. A second offer will be made in rare and extreme circumstances at discretion of Assistant Director - Housing. **See table on 'offers' at appendix B for clarity.**
- 2.6. **Severe moderate medical, welfare or hardship**
- 2.7. The applicant or a member of their household has a medical condition that is severely impaired by their housing situation or their housing contributes to causing serious ill health.
- 2.8. Alternatively, there are exceptional circumstances where the only way a housing need can be resolved is through the use of discretion. In the interests of fairness to all applicants, these circumstances are kept to a minimum.
- 2.9. **Management need**
- 2.10. Applicants are social housing tenants within the district and
- have succeeded to or have been assigned a social housing tenancy in the district and are required to move to alternative accommodation as the property is not suitable for their needs because of its size or type.
 - are occupying a significantly adapted property and they no longer require the adaptations. (The award will be granted only where the landlord will be given vacant possession of the property).
 - are under-occupying the property and willing to downsize to a smaller property (This award does not apply where the applicant has been placed in any interim/temporary accommodation by any Local Authority).
 - require extensive disabled adaptations and are prepared to move to a property with such adaptations rather than adapting their existing home. Medical evidence will be required including Occupational Therapist recommendations.
- 2.11. Applicants are currently occupying social housing within the district who are not eligible to succeed to a social housing tenancy in the district but lived in the property with the tenant for at least 12 months prior to the tenant **ceasing occupation**, and continue to occupy the property.

3. BAND 3 – HIGH HOUSING NEED

3.1. At risk of homelessness or homeless

- 3.2. The following circumstances will come under this category:
- Applicants who are owed the Prevention Duty under Section 195 of the Housing Act 1996 by the Council.
 - Applicants who are owed the Relief Duty under Section 189B (2) of the Housing Act 1996 by the Council.

~~The offer made will be treated as a final accommodation offer. Applicants in this category will be entitled to one suitable offer. If a homeless applicant refuses a final offer of suitable accommodation, (which may be an offer of private sector accommodation), the relevant homeless duty will be discharged and their application will be reassessed. Deleted - see table on 'offers' at appendix B for clarity.~~

3.3. **Moderate medical, welfare or hardship**

3.4. The applicant or a member of their household has a medical condition that is impaired by their housing situation, but they are generally able to cope. Alternatively, an applicant needs to move to relocate to give a defined and evidenced level of care or support (i.e. 20 hours of respite care per week).

3.5. **Disrepair or other poor housing conditions**

~~The applicant requires single person accommodation and is living with family or friends in accommodation where they are sharing facilities (such as bathroom, kitchen or toilet) without sole use of a bedroom.~~ **DELETED. Duplication, applicants moved to “no security of tenure” category.**

3.6. Applicants are living in accommodation that has disrepair, where the issues cannot be remedied by the landlord within a time period that the Council considers to be reasonable. This will be assessed in partnership with the Council's Private Sector Housing Team.

4. **BAND 4 – IDENTIFIED HOUSING NEED**

4.1. **Not statutorily homeless**

4.2. People who are not in priority need or are considered intentionally homeless and/or any relief duty has been discharged as per the Homeless Reduction Act 2017.

~~Applicants in this category will be entitled to one suitable offer.~~ **Deleted - see table on ‘offers’ at appendix B for clarity.**

4.3. **No security of tenure previously band 3**

4.4. The applicant has no security of tenure, for example lives with a resident landlord or is lodging with friends.

4.5. **Overcrowding previously band 2 for social tenants and 3 for private tenants**

4.6. The household requires one or more bedrooms than they presently have. They are not considered to be statutorily overcrowded in accordance with the Housing Act 1985 and/or the Housing Act 2004. **Clarity on legislation added.**

4.7. **Other forms of tenancies**

4.8. The applicant is renting a property and is not a social housing tenant.

4.9. **Ex-armed forces personnel**

4.10. Applicants who are current or former members of the armed services, or their bereaved spouse or civil partner, as set out at paragraph 7.4 of this Scheme, will qualify for a Band 4 award automatically.

4.11. **Offer of employment**

4.12. Applicants do not currently reside in the district but have paid employment or an offer of paid employment within the district.

4.13. Relationship breakdown

4.14. Applicant is a joint social housing tenant within the district and has suffered a relationship breakdown.

4.15. Sheltered Housing benefit

4.16. Applicants have no housing need but are aged 55 or over and seeking sheltered housing. They would benefit from the provision of a telecare service and the community aspect that sheltered housing provides.

4.17. No local connection

4.18. The applicant and their household do not meet the local connection criteria however live in the district or can demonstrate contribution to the district and are in housing need. Community contribution is defined as an applicant or a household member undertaking voluntary work for at least ten hours per month and has done so for at least six months continuously. **NEW – definition added**

Appendix B - Maximum number of offers of accommodation

BAND 1 – EMERGENCY PRIORITY	
Homeless Duty	1 offer
Emergency medical, welfare or hardship	
Dangerous or hazardous housing conditions	
BAND 2 – URGENT PRIORITY	
Ready to 'Move-On'	1 offer
Severe moderate medical, welfare or hardship	2 offers
Management need	2 offers
BAND 3 – HIGH HOUSING NEED	
At risk of homelessness or homeless	2 offers
Moderate medical, welfare or hardship	
Disrepair or other poor housing conditions	
BAND 4 – IDENTIFIED HOUSING NEED	
Not statutorily homeless	2 offers
No security of tenure	
Overcrowding	
Other forms of tenancies	
Ex-armed forces personnel	
Offer of employment	
Relationship breakdown	
Sheltered Housing benefit	
No local connection	

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Appendix C - Allocations Policy Review - Consultation Responses

Informal consultation with Registered Providers (September 2023)

Survey Monkey

7 responses received

- SHDC x 3 (Cost of Living Officer, Homelessness Reduction Officer, Allocations and Lettings Officer). These submissions were following staff briefings and Officer involvement with drafting the Policy.
- Longhurst Housing x 2

Do you agree with the minor changes mentioned? 100% yes

Do you have any comments or queries? None

Do you agree with the major changes including reducing the priority of 'no security of tenure' and 'overcrowding' to band 4? 85.7% yes (6 responses) 14.29 % no (1 response)

Do you have any comments or queries?

- *single households living with family have been left in band 3 but are they not in the same category as no security of tenure. I am not sure what the difference is between these 2 categories. I also think it is rather harsh to reduce social housing tenants that are overcrowded from band 2 to band 4, as we would still get a property back to relet through the housing register. I think these should be given a higher band, maybe band 3.*

Responses received by email

1. Query regarding priority awarded to applicants fleeing domestic abuse.

Response: No changes to existing policy - applicants to continue to be prioritised as band 1: Emergency medical, welfare or hardship.

2. Query received regarding additional preference to current and ex members of the armed forces (and their families).

Response: No changes to existing policy. Additional preference awarded including the relaxation of local connection criteria.

Changes made following informal consultation with Registered Providers

Current policy, band 3 states:

The applicant requires single person accommodation and is living with family or friends in accommodation where they are sharing facilities (such as bathroom, kitchen or toilet) without sole use of a bedroom.

These households are legally considered to have no security of tenure – duplication within policy. There were 0 households on the register in this category as of 27/9/23.

This section has been deleted from the new policy.

SHDC Policy Development Panel (11 October 2023)

Changes requested

- Homeless households in bands 3 and 4 should be entitled to two offers, giving them choice.
- Overcrowding in band 4 clarified – confusion regarding statutory overcrowding and applicants requiring more bedrooms than they currently have.

Changes made following consultation with Policy Development Panel

The following sentence has been added to Band 4 ‘overcrowding’ category:

They are not considered to be statutorily overcrowded in accordance with the Housing Act 1985 and/or the Housing Act 2004.

Homeless applicants in bands 3 and 4 will be entitled to 2 offers of accommodation. (Homeless households in band 1 continue to only be entitled to one offer). New appendix added to Policy summarising the maximum number of offers due.

Formal consultation with Registered Providers (November 2023)

Response received by email

2.11 (Band 2) states:

Applicants are currently occupying social housing within the district who are not eligible to succeed to a social housing tenancy in the district but lived in the property with the tenant for at least 12 months prior to the tenant's death, and continue to occupy the property.

Request that 2.11 is amended to remove the word “death” and add the words “ceasing occupation”. This amendment assists social landlords in scenarios where tenants go into care homes and carers remain in occupation. The change gives greater flexibility to landlords and avoids unnecessary legal action and stress on the family.

Changes made following formal consultation with Registered Providers

- 2.11 *Applicants are currently occupying social housing within the district who are not eligible to succeed to a social housing tenancy in the district but lived in the property with the tenant for at least 12 months prior to the tenant ceasing occupation, and continue to occupy the property.*

Vikki Cherry, Housing Services Manager, 15/12/23

Full Equality Impact Assessment – SHDC Housing Allocations Policy 2024

Service Department: Housing

Date: 12/09/2023

Name of policy to be assessed: Housing Allocations Policy

Is this a new or existing policy? Existing policy

Lead Officer: Vikki Cherry, Housing Services Manager

Officers involved in initial impact assessment process: Jason King, Assistant Director - Housing

1) Scope the assessment and identify the aims of the policy.

a) Briefly describe the aims, objectives or purpose of the policy.

The purpose of the policy is to set out the council's approach to the allocation of council and Registered Provider accommodation across the district of South Holland. The document sets out which groups are eligible for housing, which are not eligible, and how those eligible applicants will be prioritised.

The aim of the policy is to ensure that affordable housing is allocated in a fair, transparent and legal manner.

b) Who will be affected by this policy?

Any individual applying to the local authority to join the council's housing register.

c) Who is intended to benefit from this policy and in what way?

The policy serves to govern the allocation of affordable housing. Those that will benefit from the policy will be those granted a level of priority, in accordance with this policy, that will secure them an offer of affordable housing.

d) What outcomes are required from this policy and for whom?

The outcomes associated with this policy relate to the allocation of affordable housing in a fair, transparent and legal manner.

e) Who are the main stakeholders in relation to the policy?

South Holland District Council's Housing and Housing Options Team. Registered Providers with whom the council holds nomination rights.

f) Who implements the policy, and who is responsible for the policy?

The policy will be implemented by the council's Housing Allocations Team. The responsibility for the policy will rest with the Housing Department. The lead individuals will be the Available Homes Team Leader and the Housing Services Manager.

2) Consider the evidence and information available/required

a) How is the policy relevant to equalities legislation or the Equality Standard for Local Government?

Potential for direct and indirect discrimination. Policy reviewed by Capsticks solicitors, and changes have been made following legal advice regarding potential grounds for discrimination.

b) What data or monitoring information do you have or require, in order to make a judgement on the level or type of impact the policy makes? Is there qualitative and quantitative data available which relates to this policy?

Number of households on the register (including information such as age, ethnicity, medical circumstances), CORE data.

c) If there are any gaps in information or data, how do you propose to address this in the future and monitor any likely impact of the policy?

N/a.

d) How does the current policy meet the needs of individuals or groups around race, gender, disability, sexual orientation, religion or belief, and age?

The policy makes no distinction between individuals based on their race, gender, sexual orientation, religion/belief or age. The policy is structured in such a way as to afford a high level of priority to physically and mentally disabled households living in inappropriate accommodation who apply for housing.

e) Have issues or concerns been expressed by staff, Members, customers, partners or the wider community regarding this policy or service area previously?

No

Equality issues and differential impacts

a) What are the equality issues or factors that have been identified? Have any adverse impacts or positive impacts been identified?

Preference for allocations will be given to applicants in the reasonable preference categories as per the Housing Act 1996 and local lettings policies will not discriminate unjustifiably, directly or indirectly, on equality grounds.

Advice and assistance is available to ensure that the Allocations Policy is accessible for all applicants. Information can be translated or made available in different formats, such as large print, upon request.

In general, tenants of partner landlords may be considered as qualifying persons at point of application and offer, but will usually not be provided with an offer of accommodation until the following has been satisfied:

- *The rent account of their existing property is clear.*
- *The property has been inspected and has been assessed as being in a good condition.*
- *There have been no breaches of tenancy conditions within the last 12 months.*

Word 'usually' added to allow for discretion to ensure there is no indirect discrimination on the grounds of sex (female led adult households with children) or disability which are more likely to fall into arrears if they suddenly fall into ill health or become a single household etc.

Tenants of partner landlords who wish to transfer must obtain a written reference from their landlord covering the points in 6.2 before joining the Housing Register. All transfer applicants must usually have held their current tenancy for a period of at least twelve months before being considered for a transfer. A further reference will be required at point of offer.

Word 'usually' added to allow for discretion in the case of unexpected circumstances e.g. someone becoming housebound following moving within the last 12 months.

There is an allowance for housing related debt to be disregarded where there is evidence of genuine financial hardship or an overriding housing need.

This policy allows for adapted properties to be let those in need of the adaptations as a priority regardless of their housing need priority. This ensures best use of adaptations and use of Disabled Facilities Grant funding.

Disregarding assets in war-torn countries could be seen as discrimination, however it is unreasonable to include these assets within the calculations as legally they are homeless as a result of war.

Removal of a local connection test for those fleeing domestic violence has been added as per R (on the application of TX) V Adur DC 2023). Requiring a local connection is considered indirect sex discrimination to females fleeing domestic violence.

The decision to reduce the number of offers that homeless households receive and those ready to move on from supported housing does not impact on a specific equality. This will mean that these individuals are treated differently, however this is supported by the Housing Act 1996.

The bedroom standards calculation includes unborn children.

There are no specific issues which are felt could discriminate or disadvantage married couples or those in civil partnerships other than general matters detailed elsewhere in this report.

Younger people may be disadvantaged due to not being able to access Sheltered Housing, however if they have a need for the communal part of the Sheltered Housing including the wellbeing alarm, then they will qualify for this type of accommodation. Young people under 18 are disadvantaged, however a trustee is required in law for minors to hold a tenancy.

Non-disabled individuals will be bypassed for disabled households where properties with adaptations are available for let. This is to ensure best use of stock and reduce wasted adaptations and spend of Disabled Facilities Grants in the stock.

Larger properties with three or four bedrooms are often a requirement of some racial groups and lack of availability could disadvantage some families. The demand of this type of accommodation is considered by the Housing Delivery Team when considering new developments in the district.

There is no evidence that individuals are being disadvantaged in terms of their human rights

b) Does the policy or the implementation of the policy, exclude any specific equality groups?

Neither the policy nor its implementation excludes any specific equality groups.

c) Does the policy fail to promote equality of opportunity, community cohesion or diversity?

The policy does not fail to promote equality of opportunity or diversity. The approach taken to let new developments to a mixture of bands 1 & 2 supports stronger, mixed communities. The priority awarded for those homeless or threatened with homelessness ensures that homelessness is not seen as a route into social housing.

d) Are there issues or concerns about how people can access the policy or service and does this affect the aims or benefits the policy was developed for in regard to some equality groups?

The requirement to apply online may impact some community groups who are not IT enabled. This is mitigated by the Housing Team arranging telephone appointments or face to face Office visits to conduct an application. Where this is not appropriate, a home visit will also be offered.

Advice and assistance is available to ensure that the Allocations Policy is accessible for all applicants. Information can be translated or made available in different formats, such as large print, upon request.

e) Is the policy unlawful?

The policy has been written so that it is in conformity with relevant applicable legislation, including section 167 of the Housing Act 1996, Part VI Housing Act 1996 (as amended by the Homelessness Act 2002 and Localism Act 2011).

Consultation

a) What previous consultation has taken place previously on this policy or specifically for this EIA?

Consultation of the 2021 policy took place formally and informally with key partner organisations, officers and Registered Providers.

b) Who has been consulted? What information or material has been collated and analysed?

Informal consultation of the revised draft policy has taken place with:

- Portfolio Holder - Communities and Operational Housing
- Section 151 Officer
- Monitoring Officer
- Allocations and Lettings Officers
- Housing Officers
- Housing Options and Homelessness Team including Homelessness Reduction Manager
- Partner Registered Providers.

Formal consultation will follow with Registered Providers.

c) Does any of the consultation provide information on why the policy might be having a negative impact or a positive impact?

No

d) What changes have been proposed following the results of the research, consultation or data analysis?

- Section regarding young people aged 16 & 17 updated to reduce risk of indirect discrimination
- Sharing data with Department for Levelling Up, Housing and Communities added to the 'consent to share data and information' section
- Unacceptable behaviour section updated to allow for the inclusion of decisions made by the courts regarding civil cases, as well as criminal cases (paragraph 6.1 and 6.6).
- Properties and assets in countries subject to active war disregarded for asset checks

- Income figure updated for 23/24 figures – no change to how we define income threshold
- Debt Relief Order added to the definition of irrecoverable debt
- Disregard of local connection test for applicants fleeing domestic abuse as per case law R (on the application of TX) V Adur DC 2023
- Applicants in ‘ready to move on’ categories will be subject to one offer of accommodation only (instead of two). These applicants are living in supported accommodation which is in high demand - this decision will assist landlords with quicker turnover of accommodation and includes SHDC’s rough sleeper accommodation
- ‘Moderate medical, welfare or hardship’ category (band 3) has been expanded to include applicants needing to relocate to give a defined and evidenced level of care or support to a resident of South Holland (i.e. 20 hours of respite care per week). This has been added to alleviate some pressure on support services.
- Priority of categories ‘No security of tenure’ and ‘overcrowding’ (in the private sector) reduced from band 3 to band 4.
- This is a strategic change to reflect demand on the Council’s services to support homeless households.
- Community Contribution defined in the ‘no local connection’ category (band 4).

Decisions on the policy

a) Have any adverse impacts or positive impacts been identified? If yes, can any of these be justified?

The policy conforms with prevailing legislation, regulation and guidance in relation to the allocation and letting of social housing.

The policy restricts access to affordable housing for households in the following circumstances:

- no local connection to South Holland (unless they contribute to the district and have a housing need)
- levels of income and/or savings and equity that would enable them to access other forms of accommodation.
- previous conduct as a tenant would make them unsuitable as future tenants.

Any aspect of the policy can be considered and overturned by the Housing Assessment Panel where there are proven mitigating circumstances.

Restricting access on the basis of income and/or savings and equity is justified by the need to ensure that those that can access other forms of housing tenure, including low cost home ownership products, are encouraged to do so. This is in order to ensure that the relatively low annual supply of relets and new build units within the affordable sector are prioritised to those in the greatest need. Restricting access on the basis of previous conduct as a tenant, including tenants with a history of anti-social behaviour and housing related debt, is justified

by the need to ensure that affordable housing is allocated to those who have demonstrated an ability to abide by the terms of any tenancy agreement.

b) If a negative adverse impact has been identified, what planned changes to the policy are proposed? For instance, to ensure that the policy's aims and objectives are legal under anti-discriminatory law?

No policy changes are proposed. The policy includes a mechanism for discretion where unusual and/or mitigating circumstances are evident.

c) Are there any changes to the policy that will provide an opportunity to promote equality, equal opportunity and improve relations between groups and individuals? For instance, a positive impact.

No direct implications

d) Are there any budgetary implications for change? If so, what are they?

No.

Equality objectives or targets and establishing information gathering and monitoring arrangement

a) What equality monitoring systems are in place, or being created in relation to this policy?

Data relating to the race, gender, disability, sexual orientation, religion/ belief and age of tenants is reported to the government as CORE data. Responses to this data will be monitored. This is referenced within the policy under the 'Consent to share data and information' section.

b) How will the policy be assessed for its impact on equality groups in the future?

See above

c) Do any partners, stakeholders or individuals need to be involved or included within the action plan/target setting process?

No action plan/target setting processes apply to this policy

d) Do you need to improve the way you consult on this policy or undertake any future reviews? If yes, what are your plans?

This policy relates to current legislation and will be updated to reflect changes in legislation including case law. The policy is reviewed annually. Legal requirement to undertake consultation for major changes.

e) What changes are required and when will they be undertaken? What objectives and targets does the council need to set so as to monitor this policy? Can the Council promote equal opportunities better through this

policy? How are you going to publish and make available this assessment?

Not applicable

(If any changes are required, attach the action plan for the policy)

Date on which report for publication produced: 17 January 2024 at Cabinet.

Signed (Lead Officer): ...V Cherry

Date: 12/9/23.....



REPORT TO:	South Holland District Council Cabinet
DATE:	17 th January 2024 (SHDC)
SUBJECT:	South & East Lincolnshire Councils Partnership Council Customer Experience Strategy
PURPOSE:	To adopt the South & East Lincolnshire Councils Partnership Customer Experience Strategy and to commit to supporting the delivery of the vision, principles and approach to Customer Experience across Council services.
KEY DECISION:	NO
PORTFOLIO HOLDER:	Councillor J. Astill, Portfolio Holder for Corporate, Governance and Communications
REPORT OF:	Emily Spicer, Assistant Director for Wellbeing & Community Leadership
REPORT AUTHOR:	Emily Spicer, Assistant Director for Wellbeing and Community Leadership; Roxanne Warrick, Healthy Living Strategic Lead
WARD(S) AFFECTED:	ALL
EXEMPT REPORT?	NO

SUMMARY

As sovereign Councils and as a Partnership we are committed to a vision of providing a customer experience that is simple, effective and customer focused and ensure access to the many services that are offered. One of the key principles to achieving this vision is to understand our communities and customers, and how they change to inform the way we provide our services, now and into the future.

Attached at **Appendix A** is the **South & East Lincolnshire Councils Partnership Customer Experience Strategy** setting out the vision, principles and approach for Customer Experience across the three sovereign councils '*working together to offer a clear and consistent experience*'.

The strategy sets out three key outcomes we are seeking over the next four years to achieve this:

- An organisational culture that is customer focussed
- A simple, effective and positive customer experience
- Support that meets our customer's needs

Success will be monitored through the South & East Lincolnshire Councils Partnership Customer Experience Board who will have oversight of the Strategy and work collaboratively to enable effective strategic direction and co-ordination of delivery. The governance framework for the Customer Experience Board is attached at **Appendix B**.

The Cabinet / Executive Board are asked to support the recommendation to adopt South & East Lincolnshire Councils Partnership Customer Experience Strategy.

RECOMMENDATIONS

To adopt the South & East Lincolnshire Councils Partnership Customer Experience Strategy and to commit to supporting the delivery of the vision, principles and approach to Customer Experience across Council services.

REASONS FOR RECOMMENDATIONS

The Strategy is an overarching document, developed by the Customer Experience Board with engagement with local stakeholders. It gives a framework and objectives to use to further develop consistent approach across Council services.

It demonstrates a clear commitment to shared objectives to improving Council staff and services engagement with our 'customers'.

OTHER OPTIONS CONSIDERED

N/A

1. BACKGROUND

1.1 As part of the 2023/24 South and East Lincolnshire Councils Partnership (SELCP) Annual Delivery Plan, development of a shared Customer Experience Strategy is a key strand to assist the Councils' improvement in delivering a cost-effective operating model whilst supporting service delivery.

1.2 SELCP's newly established Customer Experience Board have developed the shared Customer Experience Strategy with engagement with local stakeholders and with input from each Council's scrutiny.

2. REPORT

- 2.1** Each of the three councils that form the South & East Lincolnshire Councils Partnership are responsible for delivering a wide range of public services.
- 2.2** This strategy enables SELCP to move away from 'customer service' as the responsibility of a single team or department. Instead, it recognises the importance to the whole organisation and ensures providing a simple, effective and positive customer experience be part of our core vision and values that every council employee subscribes to.
- 2.3** For the purpose of this strategy, our "customers" are residents, businesses, people who work in or visit the area, community groups, charities and partners working with the councils.
- 2.4** Working collaboratively through the Customer Experience Board and with oversight from Portfolio Holder will ensure links identified with the SELCP ICT and Digital Strategy for consistent approach.
- 2.5** Delivery will be monitored by the Customer Experience Board, supported by the Performance team through regular reviews of relevant indicators and customer satisfaction.

3. CONCLUSION

- 3.1** The strategy provides a single corporate document that outlines SELCP vision and ensures point of reference, accountability and governance to shared approach to Customer Experience.
- 3.2** If the Strategy is adopted there will be further engagement to ensure the needs of Boston/East Lindsey/South Holland communities, businesses and visitors are recognised.

4. EXPECTED BENEFITS TO THE PARTNERSHIP

- 4.1** The draft Strategy, if adopted by each Council, will support a consistent approach to Customer Experience across the South & East Lincolnshire Councils Partnership.
- 4.2** A single strategy and shared governance will provide administrative efficiency and help meet ambitions of South & East Lincolnshire Councils Partnership.

5. IMPLICATIONS

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

If adopted by each Council, the Customer Experience Strategy will provide a clear and consistent approach to Customer Experience across the South & East Lincolnshire Councils Partnership.

By working together as SELCP, services can drive efficiency and value for money for each Council.

5.2 CORPORATE PRIORITIES

The development of the SELCP Customer Experience Strategy supports the following priorities outlined in the Council's Corporate Strategy:

South Holland District Council

Priority - Our Council

Ensure our services are digitally enabled and efficient to meet the expectations of our changing communities whilst not excluding who are not yet digitally enabled.

Ensure that our staff have the skills needed to drive the organisation forward and meeting the changing expectations of our residents.

5.3 STAFFING / WORKFORCE CAPACITY IMPLICATIONS

Oversight and delivery of this strategy will be managed within existing staff and service resources.

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

NONE

5.5 DATA PROTECTION

NONE

5.6 FINANCIAL

There are no direct budget implications from adopting this strategic framework. Any decisions required for funding for actions or projects that arise as it is developed will be formally requested as appropriate.

5.7 RISK MANAGEMENT

The risk of a strategy not driving change at a pace that matches the ambition of South & East Lincolnshire Councils Partnership will be mitigated through managed delivery and oversight of the Customer Experience Board.

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

Relevant Portfolio Holder's across the South and East Lincolnshire Councils Partnership have been engaged in developing this strategy.

The Joint Policy Development Panel and Policy Monitoring Panel have considered and commented on the document and changes have been made accordingly.

Informal engagement sessions have been held with community stakeholders across SELCP to invite their input in the development of the document.

If adopted, SELCP consultation team will be engaging further with communities on SELCP standards.

5.9 REPUTATION

Adopting this strategy will benefit the reputation of the Council as it will demonstrate a shared customer focused and consistent approach that will drive efficiency and standards.

5.10 CONTRACTS

There are no direct contract implications from adopting this strategy. Any decisions required for to deliver actions or projects that arise as it is developed will be formally requested as appropriate.

5.11 CRIME AND DISORDER

It is in the report authors opinion that there are no crime and disorder implications associated with adopting the SELCP Customer Experience Strategy.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

The SELCP Customer Experience Strategy has been developed to ensure equal opportunities are provided for everyone and our customers diversity is recognised, respected and valued.

Supporting vulnerable residents is a preventative approach to safeguarding.

5.13 HEALTH AND WELL BEING

Timely access to the right information and advice helps people make informed choices and positively supports their wellbeing.

Resolving issues early, managing expectations of service standards or timescales reduced distress and is a preventive approach.

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

It is in the report authors opinion that there are no climate change or environmental implications associated with adopting the SELCP Customer Experience Strategy.

ACRONYMS

SELCP South & East Lincolnshire Council's Partnership

ICT Information & Communication Technology

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A

South & East Lincolnshire Councils Partnership Customer Experience Strategy

APPENDIX B	Customer Experience Board & Governance
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BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report

REPORT APPROVAL

Report author:	Roxanne Warrick Health Living Strategic Lead roxanne.warrick@e-lindsey.gov.uk
Signed off by:	Emily Spicer Assistant Director for Wellbeing and Community Leadership emily.spicer@sholland.gov.uk
Approved for publication:	Councillor J. Astill, Portfolio Holder for Corporate, Governance and Communications



2023-2027

CUSTOMER EXPERIENCE STRATEGY



Working together to offer a clear and consistent experience

Page 245



served by One Team

South & East Lincolnshire Councils Partnership



INTRODUCTION **03**

WHAT IS CUSTOMER EXPERIENCE? **04**

WHY A CUSTOMER EXPERIENCE STRATEGY? **05**

OUR PEOPLE & SERVICES **06**

OUR PROMISE **12**

MEASURING SUCCESS **14**

The South & East Lincolnshire Councils Partnership is made up of Boston Borough Council, East Lindsey District Council and South Holland District Council.

This strategy outlines how we will work together to support people to access our services.

We want to continue to transform our services to ensure we meet the needs of our customers now and in the future and are committed to providing a positive experience that is accessible, simple and efficient.

For the purpose of this strategy, our “customers” are:

- Residents
- Businesses
- Visitors
- People who work in the area
- Community Groups and Charities
- Organisations working with the Councils



WHAT IS 'CUSTOMER EXPERIENCE'?

Customer experience is how you feel when you interact with us.

You might get in touch with us to let us know you are moving home, to register a business or to find local waste collection days. Perhaps you are a local charity or community partner wanting to work with the Council. Whatever the reason or the way you choose to engage with us, we want that experience to be positive.

We will provide this through a consistent approach across the organisation, regardless of who you are or what service you require. It will not be just our customer contact teams delivering this, but our employees and partners too. So no matter where, why and when you interact with us you can expect a quality service.

By working with our communities, we try to understand changing needs and how people prefer to reach us or for us to reach them. We aim to deliver services which help people find answers to their questions and provide the tools they need to stay independent and help each other.

We respond to the needs of our communities, but we would like to prevent some of those needs from occurring. We will do this by focusing our resources where they are needed and being flexible. We know that some people prefer to help themselves, so we will make self-serve options available. Where this is not possible, we will ensure our staff are well trained if you need to contact us.

WHY A CUSTOMER EXPERIENCE STRATEGY?

Society is changing and so is our way of communicating

How do you stay in touch with your extended family? How do your children talk to friends? How do you find a new job? As a council we are just one of the many organisations you may need to interact with.

Prevent needs from getting worse

It is better to have issues resolved early than allow them to get worse and cause distress, cost or time to put right. In the same way, it is better for us to step in early where possible and not allow things to escalate.

Resident trust

As public services, it is important that we can demonstrate value and that our residents trust us to do the right things for them.

Value for Money

With an increasing population and economic pressures, it is more important than ever that we get things right the first time. Chasing a response, repeat contacts, mistakes, complaining – these all have a cost to you and us.

Health and Wellbeing

Access to the right information, advice and support in local communities help people stay happy, healthy and make informed choices.

OUR PEOPLE

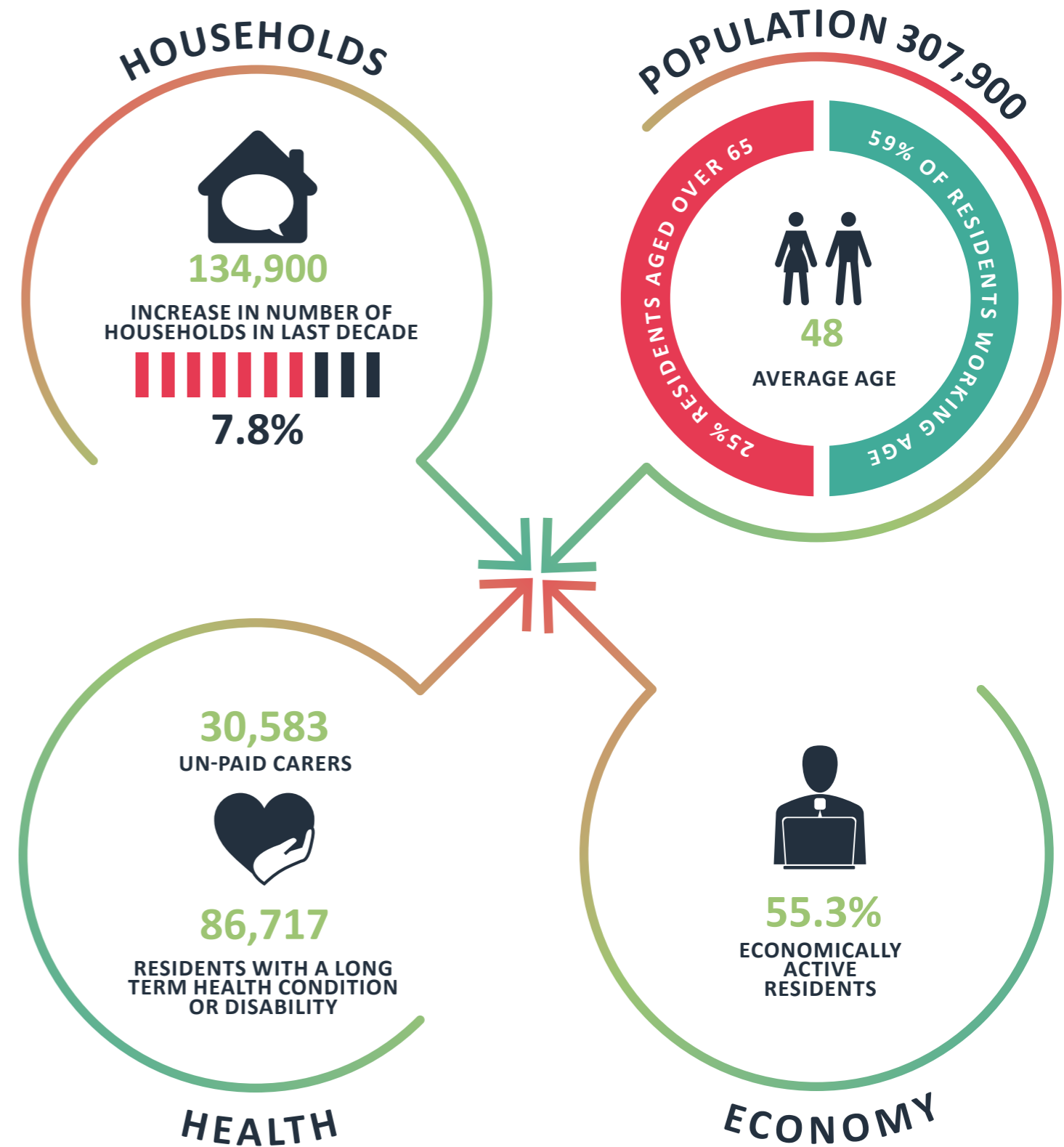
Our “customers” are businesses, partners and anyone who lives, works and visits South and East Lincolnshire.

It is important to understand our communities and customers and how they change to inform the way we provide our services.

We understand there are challenges that will need to be collectively addressed to ensure a positive customer experience.

These include:

- Providing a quality customer experience across an increasingly diverse community
- Maintaining a good experience as our population grows and demand for services increases
- An ageing population and increasing dependency mean many customers need our services and extra help to live independently
- Ensuring our services have capacity to understand and support the needs of our more vulnerable residents and communities
- Ensuring that ‘transactional’ services are accessible and efficient, to allow our staff the capacity to support early intervention and prevention to help manage demand
- An ageing population mean some people may need extra help to live independently



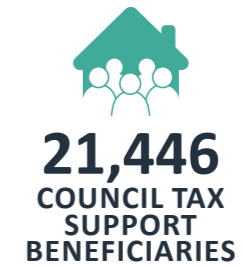


IN A YEAR...

OUR CURRENT CUSTOMER EXPERIENCE

Delivering services to local businesses and residents is part of our core purpose.

We do this with Public Sector Partnership Services (PSPS Ltd) who provide services on behalf of all three Councils.





YOUR CUSTOMER EXPERIENCE WITH THE SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP WILL BE SIMPLE, EFFECTIVE AND PEOPLE FOCUSED

OUR VISION

We believe this can be achieved through a South & East Lincolnshire Partnerships offer:

- consistent standards
- a person focused culture
- flexible approach to meet customer needs
- use of digital technology
- knowledgeable staff

To deliver our vision, we have developed a 'customer promise' to help us improve our customers' experience no matter how they chose to interact with us.

South & East Lincolnshire Councils Partnership's 'One Team' staff values and behaviours show how we work together for our communities and customers.



HOW WE WORK AS ONE TEAM TO BE THE BEST FOR OUR PLACE AND PEOPLE

OUR PROMISE

We promise to provide:

A person centred approach

- Aim to resolve your query the first time you contact us
- Empower staff so they provide a consistent and quality service
- Understand your point of view and seek feedback to improve
- Monitor demand and identify things we need to change

Embracing technology

- Introduce, promote and support self-service
- Provide a choice of 'channels' that are simple and easy to use
- Provide help and support for you to use our on-line services
- Continue to embrace technology to become more efficient

The best solutions

- Work with you to identify solutions to your issues
- Provide a professional service with skilled and trained staff
- Provide a joined-up service between the council and our partners
- Maximise self-help and early intervention to resolve problems

Be understanding, open and respectful

- Treat all of our customers with respect
- Ensure we do as we say we will
- Keep you informed and updated
- Provide clear, consistent and up to date information, advice and signposting to services and support



MEASURING SUCCESS

We are seeking to achieve 3 key outcomes to deliver our vision and success will be monitored by our new Customer Experience Board.

Outcome 1: An organisational culture that is people focused

To design our services to make them easy to access whilst delivering the right outcomes in the most efficient way possible.

How will this be achieved?

- Putting our customers at the heart of everything we do to ensure we understand what they need from us
- Providing a choice of 'channels' to contact us and find information
- Providing the right thing first time for an efficient and responsive service
- Ensuring our services are available and accessible to all our customers
- Being approachable, professional and recognising our mistakes
- Investing in the right technology to meet our ambitions
- Providing a reliable and secure service
- Reviewing and monitoring our services and seeking feedback to improve how we do things

Outcome 2: A simple, effective, and positive customer experience

To deliver an improved and consistent experience, however our customers interact with us

How will this be achieved?

- Working as one organisation to offer a clear and consistent experience
- Ensuring staff have the knowledge, skills and tools to deliver a quality service
- Clearly setting out information including contact details and waiting times
- Keeping customers informed
- Supporting staff and investing in training to improve customer service
- Recognise when we get things wrong and putting thing right quickly
- Listening to feedback and making improvements to our services
- Providing online access 24 hours a day, 7 days a week

Outcome 3: Support that meets our customer's needs

To create the environment, facilities and advocacy to support those that need it most.

How will this be achieved?

- Designing efficient processes across our services
- Working with our community and partners to deliver support
- Making face-to-face services available for those who need it
- Having trained staff available on phone for those who cannot self-serve
- Making make sure everyone has equal access to services
- Recognise ward Councillor's role as the voice of their community

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Customer Experience Board & Governance

South & East Lincolnshire Council's Partnership require a clear governance structure and arrangements to ensure that it can achieve the ambition and deliver outcomes outlined in the Customer Experience Strategy.

The newly established Customer Experience Board will have oversight for the Customer Experience Strategy and work collaboratively to enable the effective strategic direction and co-ordination of delivery.

This framework supports the Member Governance Structure which forms part of the approved Memorandum of Agreement for South & East Lincolnshire Councils Partnership and will be regular reviewed to ensure it is meeting needs of the Councils.

The Customer Experience Board has the following objectives:

- To develop a single Customer Experience Strategy for the partnership in support of the opportunities identified within the approved S&ELCP Business Plan
- To identify opportunities to create a single improved approach for customer experience across the partnership based on best practice
- To support the development of organisational cultural and the 'One Team' partnership ethos in support of customer experience
- To support the ambitions of the S&ELCP through improved outcomes for our communities
- To inform the development of the ICT Strategy for the Partnership reflecting the vision and ambitions of the Customer Experience Strategy
- To develop customer standards for the Partnership and ensure correct standards are applied and maintained
- To address service issues which do not meet the aspirations and aims of the Customer Excellent Strategy
- To develop a customer insight model, intelligence reporting and data collection to inform policy development for the Partnership
- To lead the customer relationship with PSPS Ltd

The bi-monthly meetings are chaired by either South & East Lincolnshire Councils Partnership's Deputy Chief Executive (Communities) or Assistant Director (Well Being & Community Leadership).

The membership of the Customer Experience board includes the following representatives:

- Head of ICT (PSPS Ltd)
- Head of Customer Contact (PSPS Ltd)
- Customer Operations and Delivery Manager (PSPS Ltd)

- Assistant Director (Neighbourhoods)
- Assistant Director (Corporate)
- Assistant Director (Housing)
- Senior Change and Performance Business Partner

Where appropriate, if any investment is required to support delivery of the strategy services will be required to bring forward a business case. It is expected that services will work with the relevant Portfolio Holders in developing and agreeing business case to ensure the right level of operational and political balance is achieved. All business cases will require approval from both the Customer Experience Board and Portfolio Holders responsible for Customer Experience thereafter.

Any projects that emerge to support delivery will be managed in line with South & East Lincolnshire Council's Partnership's Project Management Framework; **with the Customer Experience Board and service specific Portfolio Holders retaining a level of strategic oversight.**

Projects will usually be planned activity as part of the S&ELCP Annual Delivery Plan. Customer Service Board will produce quarterly highlight reports to update on status, track activities and details of risks and/or issues.



REPORT TO:	Cabinet
DATE:	Wednesday 17 th January 2024
SUBJECT:	Q2 Performance Report 23/24
PURPOSE:	To provide an update on how the Council is performing for the period 1 st July 2023 to 30 th September 2023
KEY DECISION:	N/A
PORTFOLIO HOLDER:	Cllr Jim Astill, Portfolio Holder Corporate & Communications
REPORT OF:	James Gilbert, Assistant Director - Corporate
REPORT AUTHOR:	Corey Gooch, Business Intelligence and Change Manager
WARD(S) AFFECTED:	N/A
EXEMPT REPORT?	NO

SUMMARY

The Quarter 2 2022-23 Performance Report, detailed in Appendix A, provides Members, businesses, and residents with an overview of how the Council is performing against its key performance indicators.

RECOMMENDATIONS

That the contents of this report be noted.

REASONS FOR RECOMMENDATIONS

To ensure Council performance is properly scrutinised.

OTHER OPTIONS CONSIDERED

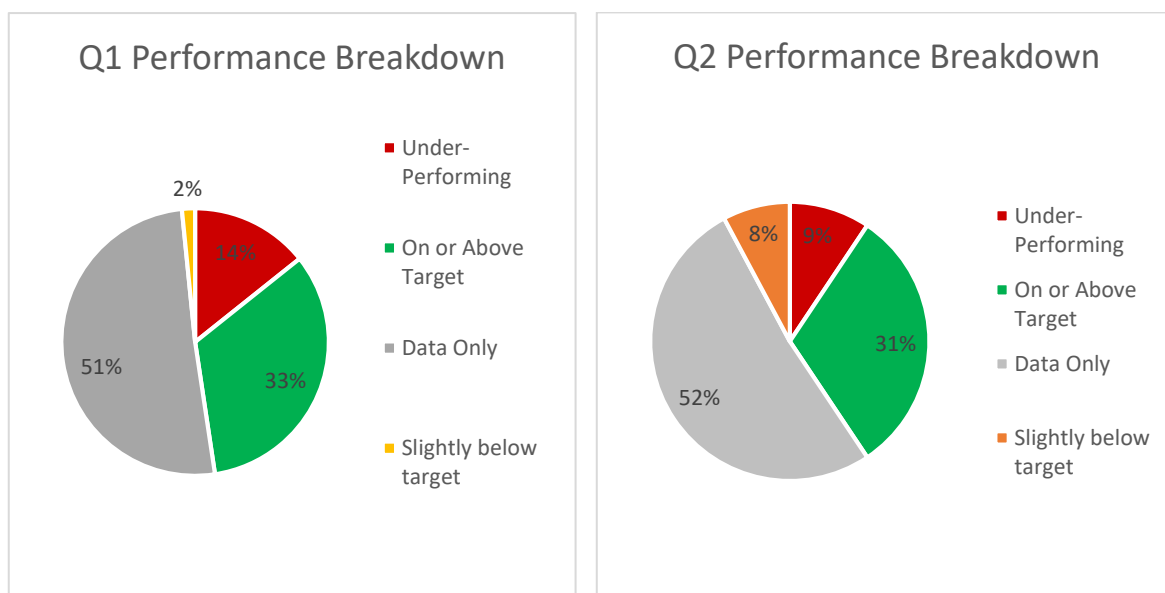
Not to monitor performance – this isn't recommended.

1. BACKGROUND

- 1.1 This report provides Cabinet with an overview of the key performance indicators for the Council at the end of Quarter 2, 2023/24 (1st July 2023 to 30th September 2023)
- 1.2 The Performance Framework's role is to drive improvement in service delivery, and this includes ambitious targets that aim to stretch service delivery.
- 1.3 Whilst the Performance Framework is agreed across the South & East Lincolnshire Councils Partnership, each Council continues to scrutinise the performance of its own services on a quarterly basis.

2. REPORT

The pie charts below show the Quarter 2 outturn compared to the Quarter 1. The detailed Quarter 2 information is in Appendix A.



31% of key indicators are performing on or above target in this quarter. For those indicators that are below target, details can be found within Appendix A.

3. CONCLUSION

- 31% of the Council's performance metrics present a positive position against targets.
- 17% are below or slightly below target
- 52% are data only metrics, and therefore used primarily to monitor trends

It should, however, be noted that targets are set to help drive performance improvements as opposed to being easy goals to achieve.

REPORT IMPLICATIONS

4. EXPECTED BENEFITS TO THE PARTNERSHIP

4.1 N/A

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP

N/A

5.2 CORPORATE PRIORITIES

The report presents progress monitoring of key performance indicators from the corporate priorities which highlight the areas of focus in Council delivery of services.

5.3 STAFFING

The report contains information on Council's performance which does convey some information relating to staffing.

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

None

5.5 DATA PROTECTION

None

5.6 FINANCIAL

None

5.7 RISK MANAGEMENT

Performance issues may be subject to risk management measures to protect Council interests.

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

N/A

5.9 REPUTATION

Performance issues can cause some reputational consequence. It is the purpose of this report to highlight performance issues at an early stage.

5.10 CONTRACTS

The report contains information on Council's performance which does convey some information relating to contract matters.

5.11 CRIME AND DISORDER

The report contains information on Council's performance which does convey some information relating to crime.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS REGARDING

None

5.13 HEALTH AND WELL BEING

The report contains information on Council's performance which does convey some information relating to health and wellbeing.

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The report contains information on Council's performance which does convey some information relating to environmental matters.

6. ACRONYMS

6.1 *PSPS – Public Sector Partnerships Ltd*

CTS – Council Tax Support

ICO – Information Commissioner's Office

LGO - Local Government & Social Care Ombudsman

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
<i>APPENDIX A</i>	<i>Q2 SHDC Performance report 23-24</i>

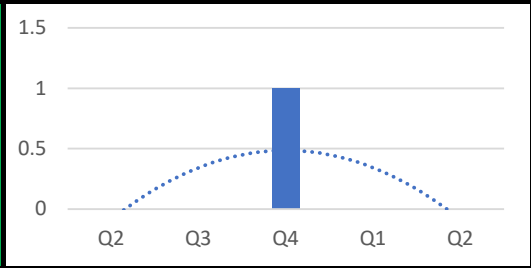
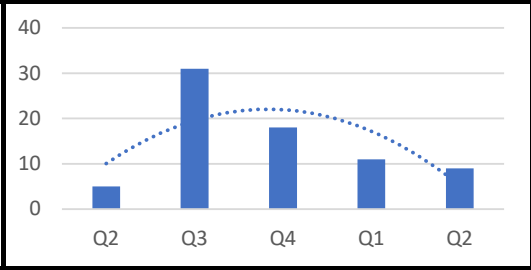

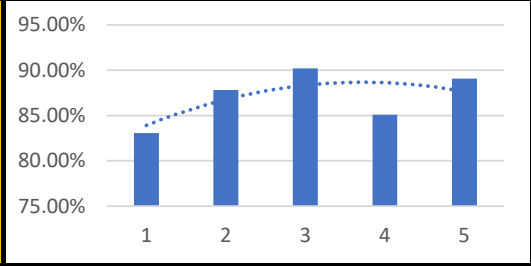
BACKGROUND PAPERS
<i>No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report</i>

CHRONOLOGICAL HISTORY OF THIS REPORT	
Name of body	Date

REPORT APPROVAL	
Report author:	Corey Gooch – Business Intelligence and Change Manager
Signed off by:	James Gilbert - Assistant Director - Corporate
Approved for publication:	Councillor Jim Astill – Portfolio Holder (Corporate and Communications)

Wellbeing and Community Leadership

Key Performance indicators (KPIs)						Target	Status													
	2022/23	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24													
	Q2	Q3	Q4	Q1	Q2	Q2	Q2													
Percentage of cases opened at homelessness prevention stage (i.e. before they have become homeless)	40%	43%	50%	60%	42.00%	70%		<table border="1"> <caption>Percentage of cases opened at homelessness prevention stage</caption> <thead> <tr><th>Quarter</th><th>Percentage</th></tr> </thead> <tbody> <tr><td>Q2</td><td>40%</td></tr> <tr><td>Q3</td><td>43%</td></tr> <tr><td>Q4</td><td>50%</td></tr> <tr><td>Q1</td><td>60%</td></tr> <tr><td>Q2</td><td>42%</td></tr> </tbody> </table>	Quarter	Percentage	Q2	40%	Q3	43%	Q4	50%	Q1	60%	Q2	42%
Quarter	Percentage																			
Q2	40%																			
Q3	43%																			
Q4	50%																			
Q1	60%																			
Q2	42%																			
<p>Commentary: The percentage is lower than the target as we have spent the majority of the quarter ensuring we have caught up Full Housing Assessments from 8 weeks to within 3 days. This should have the knock on effect going forward that we can concentrate on Prevention cases and not allow them to move across to Relief due to long waiting times.</p>																				
Percentage of homelessness cases that were opened at homelessness prevention stage that resulted in the customer not becoming homeless	64%	17%	9%	31%	64.00%	70%		<table border="1"> <caption>Percentage of homelessness cases that resulted in the customer not becoming homeless</caption> <thead> <tr><th>Quarter</th><th>Percentage</th></tr> </thead> <tbody> <tr><td>Q2</td><td>64%</td></tr> <tr><td>Q3</td><td>17%</td></tr> <tr><td>Q4</td><td>9%</td></tr> <tr><td>Q1</td><td>31%</td></tr> <tr><td>Q2</td><td>64%</td></tr> </tbody> </table>	Quarter	Percentage	Q2	64%	Q3	17%	Q4	9%	Q1	31%	Q2	64%
Quarter	Percentage																			
Q2	64%																			
Q3	17%																			
Q4	9%																			
Q1	31%																			
Q2	64%																			
<p>Commentary: Performance is slightly lower than the target but significantly higher than the East Midlands average.</p>																				
Number of verified rough sleepers	1	1	3	6	9	Trend Only	Trend Only	<table border="1"> <caption>Number of verified rough sleepers</caption> <thead> <tr><th>Quarter</th><th>Count</th></tr> </thead> <tbody> <tr><td>Q2</td><td>1</td></tr> <tr><td>Q3</td><td>1</td></tr> <tr><td>Q4</td><td>3</td></tr> <tr><td>Q1</td><td>6</td></tr> <tr><td>Q2</td><td>9</td></tr> </tbody> </table>	Quarter	Count	Q2	1	Q3	1	Q4	3	Q1	6	Q2	9
Quarter	Count																			
Q2	1																			
Q3	1																			
Q4	3																			
Q1	6																			
Q2	9																			

Number of families with children placed into Bed & Breakfast (B&B) for more than 6 weeks	0	0	1	0	0	0		 <table border="1"> <caption>Number of families with children placed into Bed & Breakfast (B&B) for more than 6 weeks</caption> <thead> <tr><th>Quarter</th><th>Count</th></tr> </thead> <tbody> <tr><td>Q2</td><td>0</td></tr> <tr><td>Q3</td><td>0</td></tr> <tr><td>Q4</td><td>1</td></tr> <tr><td>Q1</td><td>0</td></tr> <tr><td>Q2</td><td>0</td></tr> </tbody> </table>	Quarter	Count	Q2	0	Q3	0	Q4	1	Q1	0	Q2	0
Quarter	Count																			
Q2	0																			
Q3	0																			
Q4	1																			
Q1	0																			
Q2	0																			
Number of properties improved through Council intervention	5	31	18	11	9	Trend Only	Trend Only	 <table border="1"> <caption>Number of properties improved through Council intervention</caption> <thead> <tr><th>Quarter</th><th>Count</th></tr> </thead> <tbody> <tr><td>Q2</td><td>5</td></tr> <tr><td>Q3</td><td>31</td></tr> <tr><td>Q4</td><td>18</td></tr> <tr><td>Q1</td><td>11</td></tr> <tr><td>Q2</td><td>9</td></tr> </tbody> </table>	Quarter	Count	Q2	5	Q3	31	Q4	18	Q1	11	Q2	9
Quarter	Count																			
Q2	5																			
Q3	31																			
Q4	18																			
Q1	11																			
Q2	9																			
Number of long-term empty properties brought back into use through council support and intervention	0	0	0	0	0	Trend Only	Trend Only	 <table border="1"> <caption>Number of long-term empty properties brought back into use through council support and intervention</caption> <thead> <tr><th>Quarter</th><th>Count</th></tr> </thead> <tbody> <tr><td>Q2</td><td>0</td></tr> <tr><td>Q3</td><td>0</td></tr> <tr><td>Q4</td><td>0</td></tr> <tr><td>Q1</td><td>0</td></tr> </tbody> </table>	Quarter	Count	Q2	0	Q3	0	Q4	0	Q1	0		
Quarter	Count																			
Q2	0																			
Q3	0																			
Q4	0																			
Q1	0																			
Percentage of Revenues & Benefits Calls Answered (Year to Date)	83.08%	87.81%	90.19%	85.10%	89.09%	90.00%		 <table border="1"> <caption>Percentage of Revenues & Benefits Calls Answered (Year to Date)</caption> <thead> <tr><th>Year</th><th>Percentage</th></tr> </thead> <tbody> <tr><td>1</td><td>83.08%</td></tr> <tr><td>2</td><td>87.81%</td></tr> <tr><td>3</td><td>90.19%</td></tr> <tr><td>4</td><td>85.10%</td></tr> <tr><td>5</td><td>89.09%</td></tr> </tbody> </table>	Year	Percentage	1	83.08%	2	87.81%	3	90.19%	4	85.10%	5	89.09%
Year	Percentage																			
1	83.08%																			
2	87.81%																			
3	90.19%																			
4	85.10%																			
5	89.09%																			

Commentary: Q2 = 93.22%. Improvement in Year to date of 3.99% from Q1. Continuation of call back in queue utilised in Q2 with 402 (7.08% of calls). Q2 saw the successful implementation of new record management system at Boston, providing greater service alignment across the three Council's moving forwards.

Percentage of Customer Contact Calls Answered (Year to Date)	81.74%	84.34%	88.22%	77.52%	86.13%	90%		<table border="1"> <caption>Percentage of Customer Contact Calls Answered (Year to Date)</caption> <thead> <tr> <th>Period</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>81.74%</td> </tr> <tr> <td>2</td> <td>84.34%</td> </tr> <tr> <td>3</td> <td>88.22%</td> </tr> <tr> <td>4</td> <td>77.52%</td> </tr> <tr> <td>5</td> <td>86.13%</td> </tr> </tbody> </table>	Period	Percentage	1	81.74%	2	84.34%	3	88.22%	4	77.52%	5	86.13%
Period	Percentage																			
1	81.74%																			
2	84.34%																			
3	88.22%																			
4	77.52%																			
5	86.13%																			

Commentary: Q2 = 95.77%. Improvement in year to date of 8.61% from Q1. Continuation of call back in queue utilised in Q2 with 920 (5.66% of calls). During Q2 saw the start of housing survey and waste changes, where the service is expected to see rises with the wide scale waste route changes in Q3. Through system insight reporting 47.96% customers have digital capabilities and 73.52% of enquires logged did not have digital or self-service options. Q2 saw 12.99% chase enquires for SHDC Services.

Customer Satisfaction (Year to Date)	99.60%	99.17%	99.94%	99.65%	99.81%	90%		<table border="1"> <caption>Customer Satisfaction (Year to Date)</caption> <thead> <tr> <th>Period</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>99.60%</td> </tr> <tr> <td>2</td> <td>99.17%</td> </tr> <tr> <td>3</td> <td>99.94%</td> </tr> <tr> <td>4</td> <td>99.65%</td> </tr> <tr> <td>5</td> <td>99.81%</td> </tr> </tbody> </table>	Period	Percentage	1	99.60%	2	99.17%	3	99.94%	4	99.65%	5	99.81%
Period	Percentage																			
1	99.60%																			
2	99.17%																			
3	99.94%																			
4	99.65%																			
5	99.81%																			

Quality of Service (Year to Date)	98.35%	96.67%	99.16%	97.10%	96.36%	90%		<table border="1"> <caption>Quality of Service (Year to Date)</caption> <thead> <tr> <th>Period</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>98.35%</td> </tr> <tr> <td>2</td> <td>96.67%</td> </tr> <tr> <td>3</td> <td>99.16%</td> </tr> <tr> <td>4</td> <td>97.10%</td> </tr> <tr> <td>5</td> <td>96.36%</td> </tr> </tbody> </table>	Period	Percentage	1	98.35%	2	96.67%	3	99.16%	4	97.10%	5	96.36%
Period	Percentage																			
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5	96.36%																			

Average speed of answer – Customer Contact (Seconds) (Year to Date)	134	72	139.33	239	120.4	120		
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Commentary: Q2 = 90 seconds. Improvement in year to date of 75 seconds from Q1.

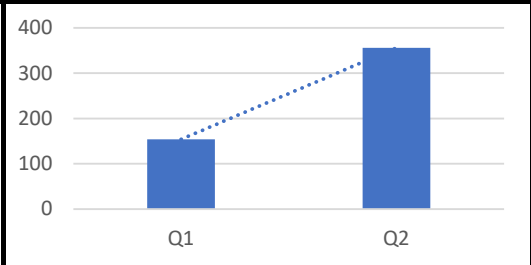
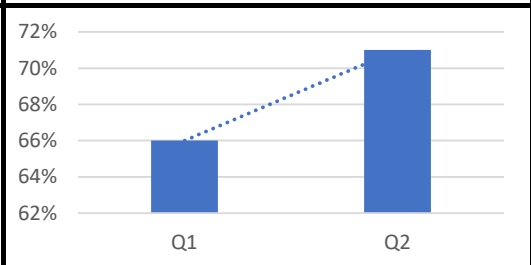
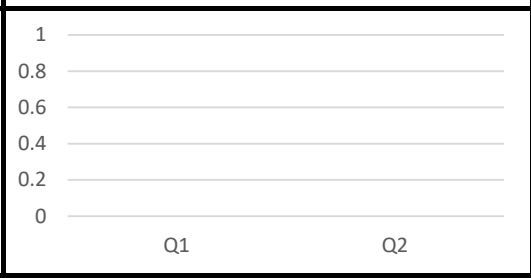
Average speed of answer – Revenues and Benefits (Seconds) (Year to Date)	239.33	143	204	290	215.2	240		
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Regulatory

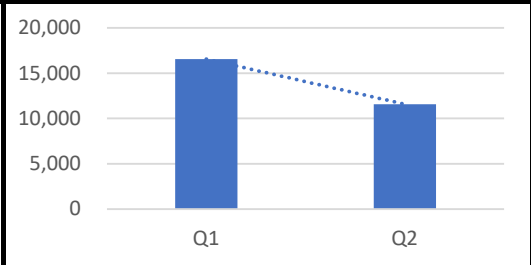
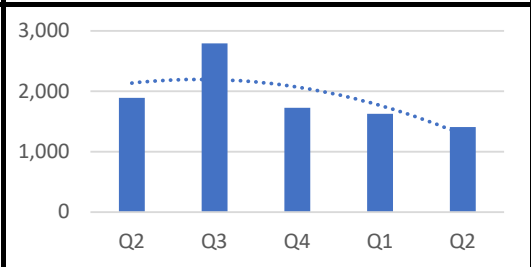
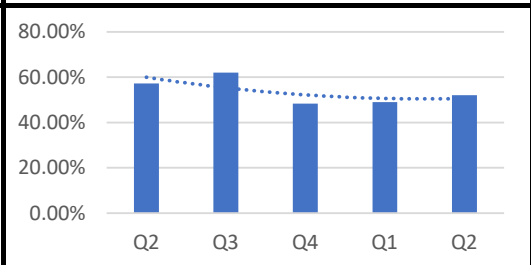
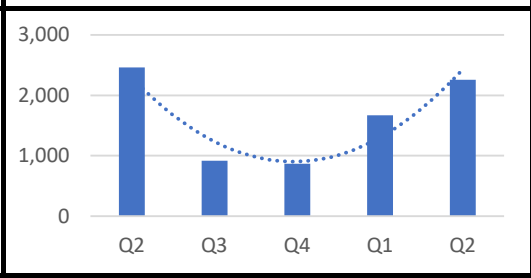
Key Performance indicators (KPIs)						Target	Status	
	2022/23	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	
	Q2	Q3	Q4	Q1	Q2	Q2	Q2	
Land Charges - Average number of days taken to process Local Authority searches (working days)	4.28	4.94	4.95	3.5	2.8	8		

<p>Food Safety – percentage of rateable food businesses with a rating of 3 (generally satisfactory) or above as a Percentage of the total number of rateable food businesses.</p>	99.70%	99.90%	99.70%	99.71%	99.90%	98%		<table border="1"> <caption>Percentage of rateable food businesses with a rating of 3 or above</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>99.70%</td> </tr> <tr> <td>Q3</td> <td>99.90%</td> </tr> <tr> <td>Q4</td> <td>99.70%</td> </tr> <tr> <td>Q1</td> <td>99.71%</td> </tr> <tr> <td>Q2</td> <td>99.90%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	99.70%	Q3	99.90%	Q4	99.70%	Q1	99.71%	Q2	99.90%
Quarter	Percentage																			
Q2	99.70%																			
Q3	99.90%																			
Q4	99.70%																			
Q1	99.71%																			
Q2	99.90%																			
<p>Kingdom Contract: Number of Fixed Penalty Notices (FPNs) Issued – Litter</p>	Data not previously reported			231	502	Trend Only	Trend Only	<table border="1"> <caption>Number of Fixed Penalty Notices (FPNs) Issued – Litter</caption> <thead> <tr> <th>Quarter</th> <th>Number of FPNs</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>231</td> </tr> <tr> <td>Q2</td> <td>502</td> </tr> </tbody> </table>	Quarter	Number of FPNs	Q1	231	Q2	502						
Quarter	Number of FPNs																			
Q1	231																			
Q2	502																			
<p>Kingdom Contract: Number of FPNs Issued - Fly Tipping</p>	Data not previously reported			2	12	Trend Only	Trend Only	<table border="1"> <caption>Number of FPNs Issued - Fly Tipping</caption> <thead> <tr> <th>Quarter</th> <th>Number of FPNs</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>2</td> </tr> <tr> <td>Q2</td> <td>12</td> </tr> </tbody> </table>	Quarter	Number of FPNs	Q1	2	Q2	12						
Quarter	Number of FPNs																			
Q1	2																			
Q2	12																			
<p>Kingdom Contract: Number of FPNs Issued - Fly Tipping</p>	Data not previously reported			0	10	Trend Only	Trend Only	<table border="1"> <caption>Number of FPNs Issued - Fly Tipping</caption> <thead> <tr> <th>Quarter</th> <th>Number of FPNs</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>0</td> </tr> <tr> <td>Q2</td> <td>10</td> </tr> </tbody> </table>	Quarter	Number of FPNs	Q1	0	Q2	10						
Quarter	Number of FPNs																			
Q1	0																			
Q2	10																			

Kingdom Contract: Number FPN's paid	Data not previously reported	154	356	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number FPN's paid</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>154</td> </tr> <tr> <td>Q2</td> <td>356</td> </tr> </tbody> </table>	Quarter	Number FPN's paid	Q1	154	Q2	356
Quarter	Number FPN's paid											
Q1	154											
Q2	356											
Kingdom Contract: Number FPN's Outstanding payment	Data not previously reported	79	87	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number FPN's Outstanding payment</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>79</td> </tr> <tr> <td>Q2</td> <td>87</td> </tr> </tbody> </table>	Quarter	Number FPN's Outstanding payment	Q1	79	Q2	87
Quarter	Number FPN's Outstanding payment											
Q1	79											
Q2	87											
Kingdom Contract: % payment rate	Data not previously reported	66%	71%	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>% payment rate</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>66%</td> </tr> <tr> <td>Q2</td> <td>71%</td> </tr> </tbody> </table>	Quarter	% payment rate	Q1	66%	Q2	71%
Quarter	% payment rate											
Q1	66%											
Q2	71%											
Kingdom Contract: Number of prosecutions completed to sentencing.	Data not previously reported	0	0	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of prosecutions completed to sentencing</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>0</td> </tr> <tr> <td>Q2</td> <td>0</td> </tr> </tbody> </table>	Quarter	Number of prosecutions completed to sentencing	Q1	0	Q2	0
Quarter	Number of prosecutions completed to sentencing											
Q1	0											
Q2	0											

Leisure and Culture

Key Performance indicators (KPIs)						Target	Status							
	2022/23	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24							
	Q2	Q3	Q4	Q1	Q2	Q2	Q2							
Visitor numbers – Castle Sports Complex	Data not previously reported			34,569	27,321	Trend Only	Trend Only	<table border="1"> <caption>Visitor numbers – Castle Sports Complex</caption> <thead> <tr> <th>Quarter</th> <th>Visitor Numbers</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>34,569</td> </tr> <tr> <td>Q2</td> <td>27,321</td> </tr> </tbody> </table>	Quarter	Visitor Numbers	Q1	34,569	Q2	27,321
Quarter	Visitor Numbers													
Q1	34,569													
Q2	27,321													
Visitor numbers – Castle Swimming Pool	Data not previously reported			52,369	50,534	Trend Only	Trend Only	<table border="1"> <caption>Visitor numbers – Castle Swimming Pool</caption> <thead> <tr> <th>Quarter</th> <th>Visitor Numbers</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>52,369</td> </tr> <tr> <td>Q2</td> <td>50,534</td> </tr> </tbody> </table>	Quarter	Visitor Numbers	Q1	52,369	Q2	50,534
Quarter	Visitor Numbers													
Q1	52,369													
Q2	50,534													
Visitor Numbers – Peele Leisure Centre	Data not previously reported			11,764	11,082	Trend Only	Trend Only	<table border="1"> <caption>Visitor Numbers – Peele Leisure Centre</caption> <thead> <tr> <th>Quarter</th> <th>Visitor Numbers</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>11,764</td> </tr> <tr> <td>Q2</td> <td>11,082</td> </tr> </tbody> </table>	Quarter	Visitor Numbers	Q1	11,764	Q2	11,082
Quarter	Visitor Numbers													
Q1	11,764													
Q2	11,082													
Number of swims (Castle Swimming Pool)	Data not previously reported			18,759	13,881	Trend Only	Trend Only	<table border="1"> <caption>Number of swims (Castle Swimming Pool)</caption> <thead> <tr> <th>Quarter</th> <th>Number of Swims</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>18,759</td> </tr> <tr> <td>Q2</td> <td>13,881</td> </tr> </tbody> </table>	Quarter	Number of Swims	Q1	18,759	Q2	13,881
Quarter	Number of Swims													
Q1	18,759													
Q2	13,881													

Number of swimming lessons (Castle Swimming Pool)	Data not previously reported			16,555	11,577	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of lessons</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>16,555</td> </tr> <tr> <td>Q2</td> <td>11,577</td> </tr> </tbody> </table>	Quarter	Number of lessons	Q1	16,555	Q2	11,577						
Quarter	Number of lessons																			
Q1	16,555																			
Q2	11,577																			
Number of gym members	1,894	2,791	1,726	1,627	1,409	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of members</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>1,894</td> </tr> <tr> <td>Q3</td> <td>2,791</td> </tr> <tr> <td>Q4</td> <td>1,726</td> </tr> <tr> <td>Q1</td> <td>1,627</td> </tr> <tr> <td>Q2</td> <td>1,409</td> </tr> </tbody> </table>	Quarter	Number of members	Q2	1,894	Q3	2,791	Q4	1,726	Q1	1,627	Q2	1,409
Quarter	Number of members																			
Q2	1,894																			
Q3	2,791																			
Q4	1,726																			
Q1	1,627																			
Q2	1,409																			
Market stall occupancy rate	57.30%	62.00%	48.40%	49.06%	52.00%	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Occupancy rate</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>57.30%</td> </tr> <tr> <td>Q3</td> <td>62.00%</td> </tr> <tr> <td>Q4</td> <td>48.40%</td> </tr> <tr> <td>Q1</td> <td>49.06%</td> </tr> <tr> <td>Q2</td> <td>52.00%</td> </tr> </tbody> </table>	Quarter	Occupancy rate	Q2	57.30%	Q3	62.00%	Q4	48.40%	Q1	49.06%	Q2	52.00%
Quarter	Occupancy rate																			
Q2	57.30%																			
Q3	62.00%																			
Q4	48.40%																			
Q1	49.06%																			
Q2	52.00%																			
Visitors to Ayscoughfee Hall Museum	2,461	918	866	1,671	2,256	Trend Only	Trend Only	 <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of visitors</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>2,461</td> </tr> <tr> <td>Q3</td> <td>918</td> </tr> <tr> <td>Q4</td> <td>866</td> </tr> <tr> <td>Q1</td> <td>1,671</td> </tr> <tr> <td>Q2</td> <td>2,256</td> </tr> </tbody> </table>	Quarter	Number of visitors	Q2	2,461	Q3	918	Q4	866	Q1	1,671	Q2	2,256
Quarter	Number of visitors																			
Q2	2,461																			
Q3	918																			
Q4	866																			
Q1	1,671																			
Q2	2,256																			

South Holland Centre Ticket sales	8,670	18,198	5,164	6,171	No Data	Trend Only	Trend Only	
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Neighbourhoods									
Key Performance indicators (KPIs)						Target	Status		
	2022/23	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24		
	Q2	Q3	Q4	Q1	Q2	Q2	Q2		
Percentage of waste collections that were successful first time Page 69	Data not previously reported				99.93%	99.93%	Trend Only	Trend Only	
Percentage of fly-tips collected within 3 working days of being reported	83%	92%	79%	87%	96%	95%			

Corporate

Key Performance indicators (KPIs)						Target	Status	
	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	2023/24	
	Q2	Q3	Q4	Q1	Q2	Q2	Q2	

Percentage of Partnership workforces (surveyed collectively) who said 'Yes' when asked if they felt valued at work	74%	72%	80%	78%	83.00%	Trend Only	Trend Only	<table border="1"> <caption>Percentage of Partnership workforces who said 'Yes' when asked if they felt valued at work</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>74%</td> </tr> <tr> <td>Q3</td> <td>72%</td> </tr> <tr> <td>Q4</td> <td>80%</td> </tr> <tr> <td>Q1</td> <td>78%</td> </tr> <tr> <td>Q2</td> <td>83.00%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	74%	Q3	72%	Q4	80%	Q1	78%	Q2	83.00%
Quarter	Percentage																			
Q2	74%																			
Q3	72%																			
Q4	80%																			
Q1	78%																			
Q2	83.00%																			

Commentary: This is a Partnership Performance Indicator, so one value is provided across the Partnership. The percentage value for SHDC only for this indicator is 85%.

Percentage of the Partnership workforces (surveyed collectively) who said 'Yes' they feel there are opportunities in the Partnership to learn and develop their skills and expertise	75%	70%	80%	82%	82.00%	Trend Only	Trend Only	<table border="1"> <caption>Percentage of Partnership workforces who said 'Yes' they feel there are opportunities in the Partnership to learn and develop their skills and expertise</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>75%</td> </tr> <tr> <td>Q3</td> <td>70%</td> </tr> <tr> <td>Q4</td> <td>80%</td> </tr> <tr> <td>Q1</td> <td>82%</td> </tr> <tr> <td>Q2</td> <td>82.00%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	75%	Q3	70%	Q4	80%	Q1	82%	Q2	82.00%
Quarter	Percentage																			
Q2	75%																			
Q3	70%																			
Q4	80%																			
Q1	82%																			
Q2	82.00%																			

Commentary: This is a Partnership Performance Indicator, so one value is provided across the Partnership. The percentage value for SHDC only for this indicator is 91%.

Page No. 66

Percentage of the Partnership workforces (surveyed collectively) who said 'Yes' they feel the Partnership recognises and supports positive mental health in the workplace	79%	74%	81%	80%	85%	Trend Only	Trend Only	<table border="1"> <caption>Percentage of Partnership workforces who feel the Partnership recognizes and supports positive mental health in the workplace</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>79%</td> </tr> <tr> <td>Q3</td> <td>74%</td> </tr> <tr> <td>Q4</td> <td>81%</td> </tr> <tr> <td>Q1</td> <td>80%</td> </tr> <tr> <td>Q2</td> <td>85%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	79%	Q3	74%	Q4	81%	Q1	80%	Q2	85%
Quarter	Percentage																			
Q2	79%																			
Q3	74%																			
Q4	81%																			
Q1	80%																			
Q2	85%																			

Commentary: This is a Partnership Performance Indicator, so one value is provided across the Partnership. The percentage value for SHDC only for this indicator is 81%.

Percentage of the Partnership workforces (surveyed collectively) who feel informed about the Partnership and what decisions it is making	47%	38%	55%	50%	52%	Trend Only	Trend Only	<table border="1"> <caption>Percentage of Partnership workforces who feel informed about the Partnership and what decisions it is making</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>47%</td> </tr> <tr> <td>Q3</td> <td>38%</td> </tr> <tr> <td>Q4</td> <td>55%</td> </tr> <tr> <td>Q1</td> <td>50%</td> </tr> <tr> <td>Q2</td> <td>52%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	47%	Q3	38%	Q4	55%	Q1	50%	Q2	52%
Quarter	Percentage																			
Q2	47%																			
Q3	38%																			
Q4	55%																			
Q1	50%																			
Q2	52%																			

Commentary: This is a partnership Performance Indicator, so one value is provided across the Partnership. This staff poll question provides three response options; Yes, No or Sometimes. When Yes & Sometimes are combined the Partnership response increases to 89%. The percentage value for SHDC only for this indicator is 46% which increases to 91% when Yes and Sometimes responses are combined.

Staff Turnover	0.63%	0.58%	1.05%	5.04%	4.07%	Trend Only	Trend Only	<table border="1"> <caption>Staff Turnover</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>0.63%</td> </tr> <tr> <td>Q3</td> <td>0.58%</td> </tr> <tr> <td>Q4</td> <td>1.05%</td> </tr> <tr> <td>Q1</td> <td>5.04%</td> </tr> <tr> <td>Q2</td> <td>4.07%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	0.63%	Q3	0.58%	Q4	1.05%	Q1	5.04%	Q2	4.07%
Quarter	Percentage																			
Q2	0.63%																			
Q3	0.58%																			
Q4	1.05%																			
Q1	5.04%																			
Q2	4.07%																			

Number of working days lost to sickness per FTE	1.73	3.13	3.03	2.55	5.29	Trend Only	Trend Only

Finance							
Key Performance indicators (KPIs)						Target	Status
	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	2023/24
	Q2	Q3	Q4	Q1	Q2	Q2	Q2
Business Rate collection rate (Cumulative)	58.38%	81.61%	96.26%	30.29%	55.84%	57.00%	

Commentary: Due to the impact of the revaluation and changes in reliefs that took effect from 1 April 2023, previous years monthly performance is no longer comparable and therefore forecasting is challenging. In order to forecast performance for the remainder of the year we took into account current performance and amounts that fall due and payable from ratepayers over the remainder of the financial year. This will be reviewed again to take in to account recent amendments to the local rating list received and processed during September. We continue to take recovery action in line with our robust procedures but anticipate ongoing collection and recovery challenges given the current economic climate.

Council Tax collection rate (Cumulative)	56.79%	83.06%	95.55%	29%	55.92%	56.79%		
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Commentary: We are currently 0.87% lower than September 2022. Our profiled targets for the remainder of the year are based on last year's actual performance. The shortfall relates to an increase in the amounts due in the second half of the year both through customers statutory instalments and pre-enforcement payment arrangements. We anticipate ongoing collection and recovery challenges given the current economic climate.

Combined HB/CTS Speed of Processing – Changes (Year to Date for 22/23, in quarter for 23/24)	33.23	25.93	17.64	30.52	28.04	25		
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Commentary: "It is pleasing to report performance in September is within target that we saw further improvement in this area. We continue to deal with high volumes of work, and as we continue to make progress on clearing the oldest work this will have an impact on speed of processing. In relation to Housing Benefit only claims, speed of processing in September was 20.67 days. During Quarter 2 we have maintained an improving position. The focus has been on reducing outstanding workload, in particular the oldest work. At the same time we continue to train and develop new staff ensuring future resilience."

Combined HB/CTS Speed of Processing – New Claims (Year to Date for 22/23, in quarter for 23/24)	13.14	12.32	8.83	10.48	11.33	12		
---	-------	-------	------	-------	-------	----	--	--

Percentage Tax Base vs Direct Debit Sign up	69.72%	69.07%	68.81%	69.41%	69.35%	60.00%		<table border="1"> <caption>Percentage Tax Base vs Direct Debit Sign up</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>69.72%</td> </tr> <tr> <td>Q3</td> <td>69.07%</td> </tr> <tr> <td>Q4</td> <td>68.81%</td> </tr> <tr> <td>Q1</td> <td>69.41%</td> </tr> <tr> <td>Q2</td> <td>69.35%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	69.72%	Q3	69.07%	Q4	68.81%	Q1	69.41%	Q2	69.35%
Quarter	Percentage																			
Q2	69.72%																			
Q3	69.07%																			
Q4	68.81%																			
Q1	69.41%																			
Q2	69.35%																			
External funding achieved to date	Data not previously reported			£12,200,368	£1,083,500	Trend Only	Trend Only	<table border="1"> <caption>External funding achieved to date</caption> <thead> <tr> <th>Quarter</th> <th>Amount (£)</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>£12,200,368</td> </tr> <tr> <td>Q2</td> <td>£1,083,500</td> </tr> </tbody> </table>	Quarter	Amount (£)	Q1	£12,200,368	Q2	£1,083,500						
Quarter	Amount (£)																			
Q1	£12,200,368																			
Q2	£1,083,500																			
Percentage of planned procurement work completed according to agreed response times and agreed timescales (By the PSPS procurement team)	Data not previously reported			100%	100%	100%		<table border="1"> <caption>Percentage of planned procurement work completed</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>100%</td> </tr> <tr> <td>Q2</td> <td>100%</td> </tr> </tbody> </table>	Quarter	Percentage	Q1	100%	Q2	100%						
Quarter	Percentage																			
Q1	100%																			
Q2	100%																			
Procurement savings / benefits achieved (By the PSPS procurement team)	Data not previously reported			£24,263	£115,150	Trend Only	Trend Only	<table border="1"> <caption>Procurement savings / benefits achieved</caption> <thead> <tr> <th>Quarter</th> <th>Amount (£)</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>£24,263</td> </tr> <tr> <td>Q2</td> <td>£115,150</td> </tr> </tbody> </table>	Quarter	Amount (£)	Q1	£24,263	Q2	£115,150						
Quarter	Amount (£)																			
Q1	£24,263																			
Q2	£115,150																			

Governance

Key Performance indicators (KPIs)						Target	Status	
	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	2023/24	
	Q2	Q3	Q4	Q1	Q2	Q2	Q2	
Percentage of corporate complaints responded to within corporately set timescales	72%	86%	73%	88.89%	50.00%	95%		

Commentary: 8 overdue and outstanding, 3 closed and late.

Percentage of subject requests responded to within statutory timescales	75%	67%	50%	100.00%	100.00%	100%		
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Percentage of information requests responded to within statutory timescales	79%	89%	82%	88.24%	62.00%	100%		
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Commentary: The impact of historically outstanding FOIA's has disaffected this quarters figures - the processes to reduce delay have been implemented and an improvement is expected.

Number of instances where service areas have failed to notify the Data Protection Officer (DPO) promptly of any identified data breaches	0	0	1	1	0	Trend Only	Trend Only	<table border="1"> <thead> <tr> <th>Quarter</th> <th>Instances</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>0</td> </tr> <tr> <td>Q3</td> <td>0</td> </tr> <tr> <td>Q4</td> <td>1</td> </tr> <tr> <td>Q1</td> <td>1</td> </tr> <tr> <td>Q2</td> <td>0</td> </tr> </tbody> </table>	Quarter	Instances	Q2	0	Q3	0	Q4	1	Q1	1	Q2	0
Quarter	Instances																			
Q2	0																			
Q3	0																			
Q4	1																			
Q1	1																			
Q2	0																			
Number of late reports not made available to the DEMS teams at agenda publication	6	2	5	3	1	Trend Only	Trend Only	<table border="1"> <thead> <tr> <th>Quarter</th> <th>Late Reports</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>6</td> </tr> <tr> <td>Q3</td> <td>2</td> </tr> <tr> <td>Q4</td> <td>5</td> </tr> <tr> <td>Q1</td> <td>3</td> </tr> <tr> <td>Q2</td> <td>1</td> </tr> </tbody> </table>	Quarter	Late Reports	Q2	6	Q3	2	Q4	5	Q1	3	Q2	1
Quarter	Late Reports																			
Q2	6																			
Q3	2																			
Q4	5																			
Q1	3																			
Q2	1																			
Percentage registering to vote by telephone/online vs paper	92%	77%	87%	96%	91%	Trend Only	Trend Only	<table border="1"> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>92%</td> </tr> <tr> <td>Q3</td> <td>77%</td> </tr> <tr> <td>Q4</td> <td>87%</td> </tr> <tr> <td>Q1</td> <td>96%</td> </tr> <tr> <td>Q2</td> <td>91%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	92%	Q3	77%	Q4	87%	Q1	96%	Q2	91%
Quarter	Percentage																			
Q2	92%																			
Q3	77%																			
Q4	87%																			
Q1	96%																			
Q2	91%																			

Planning and Strategic Infrastructure

Key Performance indicators (KPIs)						Target	Status	
	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	2023/24	
	Q2	Q3	Q4	Q1	Q2	Q2	Q2	
Percentage of major planning applications determined within 13/16 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring	90%	100%	75%	91.89%	93.81%	65%		
Percentage of minor planning applications determined within 8 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring	96.70%	91.35%	92.30%	89.63%	91.76%	75%		
Percentage of other planning applications determined within 8 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring	88.88%	96.87%	97.50%	92.94%	94.17%	75%		
Percentage of all planning decisions that were subject to extensions of time in period	23.85%	31.55%	25%	25.64%	35.51%	30%		

Commentary: Marginally beyond target, as a result of clearance of some older applications and negotiations.

Percentage of decisions (major / minor / others) taken under delegation within period	92.60%	91.98%	93.18%	95.90%	95.57%	Trend Only	Trend Only	<table border="1"> <caption>Percentage of decisions taken under delegation</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>92.60%</td> </tr> <tr> <td>Q3</td> <td>91.98%</td> </tr> <tr> <td>Q4</td> <td>93.18%</td> </tr> <tr> <td>Q1</td> <td>95.90%</td> </tr> <tr> <td>Q2</td> <td>95.57%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	92.60%	Q3	91.98%	Q4	93.18%	Q1	95.90%	Q2	95.57%
Quarter	Percentage																			
Q2	92.60%																			
Q3	91.98%																			
Q4	93.18%																			
Q1	95.90%																			
Q2	95.57%																			
Percentage of major planning appeals allowed within the last 2 years (rolling period) against number of applications determined	9%	0.84%	0.89%	0.00%	1.03%	10%		<table border="1"> <caption>Percentage of major planning appeals allowed</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>9%</td> </tr> <tr> <td>Q3</td> <td>0.84%</td> </tr> <tr> <td>Q4</td> <td>0.89%</td> </tr> <tr> <td>Q1</td> <td>0.00%</td> </tr> <tr> <td>Q2</td> <td>1.03%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	9%	Q3	0.84%	Q4	0.89%	Q1	0.00%	Q2	1.03%
Quarter	Percentage																			
Q2	9%																			
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Q2	1.03%																			
Percentage of minor & other planning appeals allowed within the last 2 years (rolling period) against number of applications determined	0.04%	0.56%	0.64%	0.59%	0.61%	10%		<table border="1"> <caption>Percentage of minor & other planning appeals allowed</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>0.04%</td> </tr> <tr> <td>Q3</td> <td>0.56%</td> </tr> <tr> <td>Q4</td> <td>0.64%</td> </tr> <tr> <td>Q1</td> <td>0.59%</td> </tr> <tr> <td>Q2</td> <td>0.61%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	0.04%	Q3	0.56%	Q4	0.64%	Q1	0.59%	Q2	0.61%
Quarter	Percentage																			
Q2	0.04%																			
Q3	0.56%																			
Q4	0.64%																			
Q1	0.59%																			
Q2	0.61%																			

General Fund Assets

Key Performance indicators (KPIs)						Target	Status															
	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24	2023/24															
	Q2	Q3	Q4	Q1	Q2	Q2	Q2															
Occupancy Rate at end of Quarter: Industrial Units	98.11%	98.10%	100%	100%	100%	93%		<table border="1"> <caption>Occupancy Rate at end of Quarter: Industrial Units</caption> <thead> <tr><th>Quarter</th><th>Occupancy Rate</th></tr> </thead> <tbody> <tr><td>Q2</td><td>98.11%</td></tr> <tr><td>Q3</td><td>98.10%</td></tr> <tr><td>Q4</td><td>100%</td></tr> <tr><td>Q1</td><td>100%</td></tr> <tr><td>Q2</td><td>100%</td></tr> <tr><td>Target</td><td>93%</td></tr> </tbody> </table>	Quarter	Occupancy Rate	Q2	98.11%	Q3	98.10%	Q4	100%	Q1	100%	Q2	100%	Target	93%
Quarter	Occupancy Rate																					
Q2	98.11%																					
Q3	98.10%																					
Q4	100%																					
Q1	100%																					
Q2	100%																					
Target	93%																					
Occupancy Rate at end of Quarter: Other investment property	100%	100%	100%	100%	100%	97%		<table border="1"> <caption>Occupancy Rate at end of Quarter: Other investment property</caption> <thead> <tr><th>Quarter</th><th>Occupancy Rate</th></tr> </thead> <tbody> <tr><td>Q2</td><td>100%</td></tr> <tr><td>Q3</td><td>100%</td></tr> <tr><td>Q4</td><td>100%</td></tr> <tr><td>Q1</td><td>100%</td></tr> <tr><td>Q2</td><td>100%</td></tr> <tr><td>Target</td><td>97%</td></tr> </tbody> </table>	Quarter	Occupancy Rate	Q2	100%	Q3	100%	Q4	100%	Q1	100%	Q2	100%	Target	97%
Quarter	Occupancy Rate																					
Q2	100%																					
Q3	100%																					
Q4	100%																					
Q1	100%																					
Q2	100%																					
Target	97%																					
Percentage of car parking income received against agreed budget (cumulative measure)	Data not previously reported			26.29%		Trend Only	Trend Only	<table border="1"> <caption>Percentage of car parking income received against agreed budget</caption> <thead> <tr><th>Quarter</th><th>Percentage</th></tr> </thead> <tbody> <tr><td>Q1</td><td>26.29%</td></tr> <tr><td>Q2</td><td></td></tr> </tbody> </table>	Quarter	Percentage	Q1	26.29%	Q2									
Quarter	Percentage																					
Q1	26.29%																					
Q2																						

Commentary: Income postings still being verified by PSPS. Data assurance being undertaken by them.

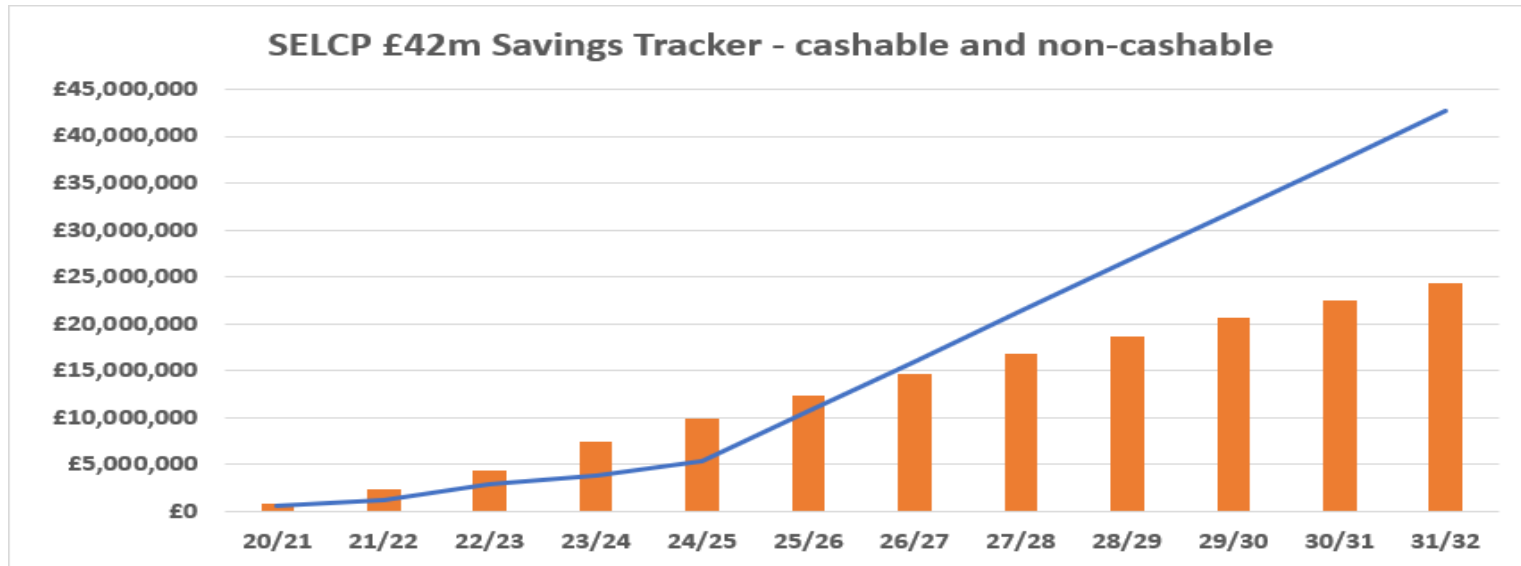
Percentage of commercial rent received against agreed budget		97.95%	100%			Trend Only	Trend Only	<table border="1"> <caption>Percentage of commercial rent received against agreed budget</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q2</td> <td>0%</td> </tr> <tr> <td>Q3</td> <td>100%</td> </tr> <tr> <td>Q4</td> <td>100%</td> </tr> <tr> <td>Q1</td> <td>0%</td> </tr> <tr> <td>Q2</td> <td>0%</td> </tr> </tbody> </table>	Quarter	Percentage	Q2	0%	Q3	100%	Q4	100%	Q1	0%	Q2	0%
Quarter	Percentage																			
Q2	0%																			
Q3	100%																			
Q4	100%																			
Q1	0%																			
Q2	0%																			

Commentary: The data report necessary to produce this data is still being refined by PSPS's Business World Development Manager

Repairs & Maintenance: Percentage committed spend against budget	Data not previously reported	18.91%	42.94%	Trend Only	Trend Only	<table border="1"> <caption>Repairs & Maintenance: Percentage committed spend against budget</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>18.91%</td> </tr> <tr> <td>Q2</td> <td>42.94%</td> </tr> </tbody> </table>	Quarter	Percentage	Q1	18.91%	Q2	42.94%
Quarter	Percentage											
Q1	18.91%											
Q2	42.94%											

	21/22 total	22/23 total	23/24 (Q1)	23/24 (Q2)
BBC	£25,595,317	£17,653,781	£6,326,421	£244,098
ELDC	£53,786,747	£13,766,959	£22,043,080	£727,193
SHDC	£10,697,892	£22,234,304	£12,204,533	£1,083,500
Partnership Total	£90,079,957	£53,655,045	£40,574,036	£2,052,791

SAVINGS PROFILE - CASHABLE AND NON-CASHABLE												
SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP												
ALLIANCE	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32
Target	£600,000	£1,200,000	£2,838,000	£3,833,000	£5,334,000	£10,668,000	£16,002,000	£21,335,000	£26,669,000	£32,003,000	£37,337,000	£42,671,000
Total	£872,415	£2,440,787	£4,420,112	£7,368,455	£9,926,733	£12,408,292	£14,641,397	£16,816,524	£18,728,901	£20,586,118	£22,498,495	£24,410,872



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