



## CABINET

**DATE:** Friday, 26 June 2020  
**TIME:** 10.30 am  
**VENUE:** Meeting will be held in accordance with the provisions of SI 2020/392. The link to the live stream is found here:  
<https://www.tendringdc.gov.uk/livemeetings>

### MEMBERSHIP:

Councillor Stock OBE	- Leader of the Council
Councillor Broderick	- Independent Living Portfolio Holder
Councillor C Guglielmi	- Deputy Leader of the Council; Corporate Finance & Governance Portfolio Holder
Councillor P Honeywood	- Housing Portfolio Holder
Councillor McWilliams	- Partnerships Portfolio Holder
Councillor Newton	- Business & Economic Growth Portfolio Holder
Councillor Porter	- Leisure & Tourism Portfolio Holder
Councillor Talbot	- Environment & Public Space Portfolio Holder

**Most Council meetings are open to the public and press.**

Agendas and Minutes are published on the Council's website [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk). Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Keith Simmons:  
Tel: 01255 686580 or by Email: [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk)

DATE OF PUBLICATION: THURSDAY 18<sup>TH</sup> JUNE 2020

## AGENDA

### **1 Apologies for Absence**

The Cabinet is asked to note any apologies for absence received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 8)**

To confirm as a correct record the minutes of the last meeting of the Cabinet held on Friday 29 May 2020.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

### **4 Announcements by the Leader of the Council**

The Cabinet is asked to note any announcements made by the Leader of the Council.

### **5 Announcements by Cabinet Members**

The Cabinet is asked to note any announcements made by Members of the Cabinet.

### **6 Matters Referred to the Cabinet by the Council**

There are none on this occasion.

### **7 Matters Referred to the Cabinet by a Committee**

There are none on this occasion.

### **8 Leader of the Council's Items - A.1 - Executive Decisions taken as a matter of Urgency (Pages 9 - 16)**

To notify Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

### **9 Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder - A.2 - Programme of Meetings: August 2020 to April 2021 (Pages 17 - 24)**

To enable Cabinet to give consideration to the programme of meetings for the period August 2020 to April 2021.

### **10 Cabinet Members' Items - Report of the Housing Portfolio Holder - A.3 - Housing Strategy 2020-2025: Delivering Homes to meet the needs of Local People (Pages 25 - 54)**

To recommend to Full Council a new Housing Strategy 2020-2025 for adoption.

**11 Cabinet Members' Items - Report of the Housing Portfolio Holder - A.4 - Financial Assistance Policy for Private Sector Housing (Pages 55 - 102)**

To inform Cabinet about the delivery of financial assistance for Private Sector Housing and seek agreement for a revised Financial Assistance Policy.

**12 Cabinet Members' Items - Report of the Housing Portfolio Holder - A.5 - Future Use of Spendells House, Walton-on-the-Naze (Pages 103 - 118)**

To inform Cabinet of the work undertaken by officers to find a future use for Spendells House and to seek agreement to bring the building back into use as a temporary accommodation unit for homeless households, and in particular family households.

**13 Management Team Items**

There are none on this occasion.

**Date of the Next Scheduled Meeting**

The next scheduled meeting of the Cabinet is to be held at 10.30 am on Friday, 24 July 2020. The administrative arrangements will be determined in due course

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**MINUTES OF THE MEETING OF THE CABINET,  
HELD ON FRIDAY, 29TH MAY, 2020 AT 10.30 AM  
MEETING WILL BE HELD IN ACCORDANCE WITH THE PROVISIONS OF SI  
2020/392. LINK TO LIVE STREAM IS FOUND HERE:  
[HTTPS://WWW.TENDRINGDC.GOV.UK/LIVEMEETINGS](https://www.tendringdc.gov.uk/livemeetings)**

**Present:** Councillors Neil Stock OBE (Leader of the Council)(Chairman), Carlo Guglielmi (Deputy Leader of the Council and Corporate Finance & Governance Portfolio Holder), Paul Honeywood (Housing Portfolio Holder), Lynda McWilliams (Partnerships Portfolio Holder), Mary Newton (Business & Economic Growth Portfolio Holder), Alex Porter (Leisure & Tourism Portfolio Holder) and Michael Talbot (Environment & Public Space Portfolio Holder)

**Group Leaders Present by Invitation:** Councillors Terry Allen (Leader of the Tendring First Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group), Mark Stephenson (Leader of the Tendring Independents Group) and Graham Steady (Deputy Leader of the Independents Group)

**Also Present:** Councillors Peter Cawthron and Valerie Guglielmi

**In Attendance:** Ian Davidson (Chief Executive), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Tim Clarke (Assistant Director (Housing and Environment)), Keith Simmons (Head of Democratic Services and Elections), Peter Russell (Executive Projects Manager - Housing), Ian Ford (Committee Services Manager) and Matt Cattermole (Communications Assistant)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Joy Broderick (Independent Living Portfolio Holder) and Jayne Chapman (Leader of the Independent Group).

**2. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on Friday 21 February 2020 be approved as a correct record and be signed by the Chairman.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made on this occasion.

**4. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL**

The Leader of the Council (Councillor Stock OBE) welcomed everyone to this the first meeting of the Cabinet to be held by remote access under the new Regulations

introduced as a result of the Covid-19 public health emergency. He stated that though it was an unusual means of holding meetings that would take some getting used to it was better than not being able to hold any meetings at all.

The Leader expressed his gratitude to the Officers of the Council many of whom were having to work from home and in some cases had had to undertake different duties than those that they were used to undertaking. He expressed particular appreciation of the tremendous workload that the Assistant Director (Finance & IT) and his officers had faced in getting the Government's emergency grants distributed to businesses and the speed with which they had been able to do it.

Councillor Stock also placed on record his thanks to his fellow Group Leaders for their constructive and positive approach in ensuring that the Council could continue to carry on with its democratic decision making processes.

Councillor Stock also thanked his Cabinet colleagues for continuing to carry out their portfolio holder duties in these difficult times.

The Leader of the Labour Group (Councillor I J Henderson) expressed his support for Councillor Stock's statement and he also expressed praise for the very many volunteer groups/organisations and volunteers within the District who were playing an enhanced and critical role in helping vulnerable persons in their communities get through the current crisis.

**5. ANNOUNCEMENTS BY CABINET MEMBERS**

There were no announcements by Cabinet Members on this occasion.

**6. MATTERS REFERRED TO THE CABINET BY THE COUNCIL**

There were none on this occasion.

**7. MATTERS REFERRED TO THE CABINET BY A COMMITTEE**

There were none on this occasion.

**8. LEADER OF THE COUNCIL'S ITEMS**

There were none on this occasion.

**9. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.1 - "REMOTE MEETINGS" AND CHANGES TO THE COUNCIL'S CONSTITUTION**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.1) which sought its endorsement of the changes required to the Council's Constitution in consequence of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').

The Cabinet was made aware that the Regulations, made under section 78 of the Coronavirus Act 2020, applied notwithstanding any other legislation or current or pre-

existing standing orders or any other Council rules governing meetings and would remain valid until 7<sup>th</sup> May 2021. This meant that, wherever there was a conflict, within the Constitution, or with any procedures or rules implemented under Business Continuity Arrangements, these remote meetings regulations would take precedence.

It was therefore the case that the effect of these Regulations on the Authority's Constitution was to insert what were, in effect, mandatory standing orders for those authorities that wished to hold meetings remotely, either wholly or partially.

Members were informed that a Remote Meetings Protocol and Procedure Rules document had been produced on 17<sup>th</sup> April 2020 by Lawyers in Local Government (LLG) and the Association of Democratic Services (ADSO) for the purpose of assisting authorities to highlight the changes required to Councils' Constitutions in consequence of the Regulations. Rather than adopting the Protocol without amendment, the Monitoring Officer and Democratic Services officers, had worked through this national guidance and best practice in order to highlight the changes required for Tendring District Council.

It was reported that the proposed changes covered a number of miscellaneous amendments to the Council Procedure Rules and the Access to Information Procedure Rules, and Articles 3 and 7 which were all required in order to comply with the new legislation and to ensure that this Council's Constitution remained effective, efficient and consistent at an operational level. The key changes to each of these documents were highlighted within the body of the Portfolio Holder's report.

The Cabinet was advised that the Monitoring Officer could make these changes to the Constitution in accordance with the delegated authority provided to her within Article 15. However, it was still considered to be prudent for the Portfolio Holder's Constitution Review Working Party to undertake a light touch review prior to submitting the changes to Full Council for ratification, in order to enable the working practices and the guidance issued for remote meetings to be considered in a little more depth.

Having considered the proposed changes to the Constitution as outlined in the Portfolio Holder's report and as detailed in the Appendices attached thereto:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

**RESOLVED** that Cabinet:

1. notes that changes to the Council's Constitution are required as a direct consequence of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020;
2. endorses the changes as identified by the Monitoring Officer and as set out in this report and Appendices A - E attached hereto;
3. endorses that all changes took immediate effect to comply with the Regulations;

4. endorses that all Councillors conduct all Council business through their Tendring District Council online accounts using the corporate IT kit supplied to them for the smooth facilitating and running of remote meetings;
5. adopts the Remote Meeting Guidance for Members and Officers attached as Appendix F and grants a delegated authority to the Head of Democratic Services and Elections to make minor changes to such Guidance, in consultation with the Portfolio Holder for Corporate Finance and Governance;
6. requests that the Portfolio Holder's Constitution Review Working Party undertake a light-touch review of any changes to be made to the Constitution and the application of the Remote Meeting Guidance and reflects upon working practices for remote meetings and then submits its recommendations direct to Full Council for ratification; and
7. recommends that Appendix G, as attached to this report, be submitted to Full Council as a replacement to Appendix E to the March 2020 Constitution review report, which was then subsequently approved by the Leader of the Council (on behalf of the Cabinet) for submission to Full Council.

10. **CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.2 - FINANCIAL PERFORMANCE REPORT - IMPACT OF COVID-19 (ESTIMATED IN-YEAR PERFORMANCE AGAINST THE BUDGET AS AT THE END OF JUNE 2020 AND POTENTIAL IMPACT ON THE LONG TERM FINANCIAL FORECAST)**

The Cabinet gave consideration to a comprehensive report of the Corporate Finance and Governance Portfolio Holder (A.2) which provided it with an early update on the financial impact of COVID 19 on the Council's in-year financial position and which looked ahead to 2021/22 as part of the long term forecast.

The Cabinet was made aware that a number of income streams had been significantly affected by the COVID 19 crisis with the main areas of impact being in sports and leisure facilities and car parks. Although other income streams were also currently running behind profile, they were likely to be areas that would recover over the rest of the year, so at this stage it was considered to be 'deferred' income rather than 'lost' income.

It was reported that the collection performance for council tax and business rates had remained broadly in line with the position as at the end of April 2019 but this would need to be closely monitored over the coming months as it was recognised that there could be a time lag in terms of when the financial consequences facing households and local businesses started to potentially have an impact on their ability to pay.

Appendix C to the Portfolio Holder's report brought together the estimated additional costs as well as the 'lost' income for the period to the end of June 2020. The overall estimated net impact on the Council's budget was £1,427,500.

Members were informed that, in recognising the financial pressures faced by Local Authorities, the Government had provided additional funding, which for Tendring District Council totalled £1,557,527. This currently more than offset the net additional costs highlighted above, but a cautious approach would be required going into the second



quarter of the financial year as the scale and pace of the how the economy would recover was unknown at the present time.

Members were further informed that, as part of providing the aforementioned additional funding of £1,557,527, the Government had asked District Councils to consider exploring opportunities to use some of this funding to support Town and Parish Councils who might also be responding directly to COVID 19 issues in their own areas.

The Cabinet was advised that, during April and May 2020, the Council had established a team to administer the Government's business rates support grant scheme with over 80% of eligible businesses in the District now having received such support.

It was reported that the Government had recently announced an extension to the current business rate grant scheme and that Officers were working in collaboration with other Essex Authorities to design a scheme that balanced the need to be as simple to administer as possible with getting the money out to businesses as quickly as possible. Payments to businesses were hoped to be made as early as possible in June.

The Cabinet was made aware that, at the present time it was difficult to estimate the impact of the COVID 19 crisis on the Council's long term forecast. However, high level commentary had been provided on the significant elements of the long term plan within the Portfolio Holder's report.

Although dependent on the scale and speed of the economic recovery nationally as well as locally, it was currently the hope of the Portfolio Holder that any financial impact could be accommodated within the existing long term plan, as it was designed to offer flexibility to changes required over time. The savings target within the long term forecast remained as the 'safety valve' that might need to be revised as a clearer picture of the impact from COVID 19 emerged.

However, overall it was the view of the Portfolio Holder that the Council was in a strong financial position to respond to the challenges ahead, supported by the forecast risk fund, business rates resilience reserve and uncommitted reserves.

Having considered all of the information and advice contained within the report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor McWilliams and:-

**RESOLVED** that –

- (a) the current estimated in-year position to the end of June 2020 and the potential impact on the long term forecast be noted; and
- (b) opportunities of using some of the £1.5m funding that the Council has received from the Government, to support Town and Parish Council to directly respond to COVID 19 issues within their respective areas be explored, and that the determination of the necessary arrangements be delegated to the Portfolio Holder for Finance and Corporate Governance, in consultation with the Chief Executive.

11. **CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.3 - PERFORMANCE REPORT JANUARY - MARCH 2020 OUTTURN (QUARTER FOUR)**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.3) which presented it with the deliverables and measurable outcomes for the Cabinet's agreed Priorities and Projects 2019/20, as well as reporting the outturn position as at Quarter Four (January – March 2020).

Members recalled that the Performance Reports (*Resources & Services and Community Leadership*) set out the detailed actions and targets for the delivery of the Council's priorities throughout the year by including both the Council's emerging Corporate Plan 2020/24 and Priorities and Projects for 2019/20.

In respect of the Quarter 4 position (*as reported in the Resources and Services Performance Report*) Members were informed that of the 21 indicators and projects where performance was measured, 10 (48%) were on, or above, their expected target, 8 indicators (38%) were not currently in line with expected performance, 1 indicator had no data available (5%). It was also noted that two of the projects had been impacted by the current COVID-19 public health emergency.

The indicators and projects highlighted in the *Community Leadership Performance Report* were deemed 'non measurable' as the Council's role was that of 'influence' only.

Furthermore, the Leader of the Council, in response to a recommendation from the Resources and Services Overview & Scrutiny Committee, had agreed on behalf of the Cabinet, that the Manningtree Underpass project would now be reported to the Community Leadership Overview & Scrutiny Committee only, as Tendring's role in this project was that of 'influence only'.

It was anticipated that the usual annual review of the Council's performance management arrangements would include a fundamental review, which would seek to adapt arrangements to ensure that relevant data was gathered and presented in a timely way, to the appropriate audience, in order to drive delivery of service improvement and achievement of the Corporate Plan.

Transforming Tendring Project

Cabinet also received an update within the Portfolio Holder's report on the current progress of the transformation project in Clacton-on-Sea which touched on the following areas:-

- (1) Pier Avenue & Barnes House Offices;
- (2) Northbourne Depot;
- (3) Westleigh House demolition and creation of additional car parking spaces;
- (4) Town Hall Phase 3 structural works;
- (5) IT Network and Firmsteps Interface; and
- (6) Scanning and Digitalisation.

Having considered all of the information provided in the report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor McWilliams and:-

**RESOLVED** that the current position for each performance measure as at Quarter Four (January – March 2020) be noted.

**12. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.4 - HOMELESSNESS REDUCTION & ROUGH SLEEPING STRATEGY 2020-2024**

The Cabinet gave consideration to a detailed report of the Housing Portfolio Holder (A.4) which sought its formal adoption of the Homelessness Reduction & Rough Sleeping Strategy 2020-2024 for the District.

Members were aware that local authorities were required by Government to have a formal homelessness strategy and that they were expected to adopt a strategic approach to tackle homelessness and rough sleeping in their local areas and plan for future needs.

It was reported that the proposed Strategy had identified four key strategic priorities to reduce homelessness and rough sleeping in the District as follows:

- Earlier Intervention and Education
- Better Partnership and Holistic Working
- Increasing the Supply of Suitable Accommodation
- Exploring New Ways to Prevent and Tackle Rough Sleeping

The Cabinet was informed that the Strategy had been drafted following the introduction of the Homelessness Reduction Act 2017, which had been the most significant change to homelessness administration and legislation since the first homelessness legislation had been passed in 1977. This Council's new Strategy had been developed in order to reduce homelessness and rough sleeping in the District at a time when homelessness had been increasing both locally and nationally with associated social and financial costs.

Members were also made aware that the Strategy set out the national and local strategic setting for homelessness and the causes and demographics of homelessness in the District. It further set out the challenges the Council faced in tackling homelessness and rough sleeping and how homelessness was an issue that needed to be tackled in partnership with other agencies. The Council, as a community leader, could facilitate earlier prevention and better partnership working.

Having duly considered the information contained in the portfolio Holder's report together with the contents of the proposed Strategy, as contained in the Appendix to that report:-

It was moved by Councillor P B Honeywood, seconded by Councillor Talbot and:-

**RESOLVED** that –

- (a) the Homelessness Reduction & Rough Sleeping Strategy 2020-24 and its accompanying Delivery Plan, as set out in Appendix 1 of the Strategy be adopted and;

- (b) the Housing Portfolio Holder be authorised to make amendments to the Strategy, if needed, after it is adopted and published.

**13. MANAGEMENT TEAM ITEMS**

There were none on this occasion.

The Meeting was declared closed at 11.55 am

**Chairman**

Key Decision Required:	NO	In the Forward Plan:	NO
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## CABINET

26 JUNE 2020

### REPORT OF LEADER OF THE COUNCIL

#### A.1 **EXECUTIVE DECISIONS TAKEN AS A MATTER OF URGENCY**

(Report prepared by Ian Ford, Committee Services Manager and Lisa Hastings, Assistant Director (Governance) & Monitoring Officer)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To notify Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

##### **EXECUTIVE SUMMARY**

In accordance with the procedures contained in the Note on Decision Making Business Continuity Arrangements issued by the Monitoring Officer (Lisa Hastings) on Friday 20 March 2020, this report formally notifies Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

##### **RECOMMENDATIONS**

- (a) That the contents of the report be noted; and**
- (b) That the urgent decisions taken by the Leader of the Council on behalf of the Cabinet, as detailed in this report, be formally endorsed.**

#### **PART 2 – SUPPORTING INFORMATION**

##### **BACKGROUND**

As part of the Council's response to the COVID-10 public health emergency the Council's Monitoring Officer produced a formal "Note on Decision Making Business Continuity Arrangements" which set out the ways in which the normal operational business could continue in relation to decisions which would normally be referred to Cabinet, Council or Committees.

In relation to Cabinet decisions the Monitoring Officer's formal Note contained the following information and advice:-

*"The Constitution requires certain matters to be decided by Cabinet collectively. The Leader of the Council may exercise any of the powers delegated to the Cabinet:*

- a. Following a resolution of the Cabinet (subject to the Constitution), or*
- b. In cases of urgency, in consultation with the Monitoring Officer and/or Section 151*

Officer.

*In cases of urgency the decision of the Leader of the Council will be recorded and published in accordance with the Constitution. The Leader of the Council will also be required to make a public statement at the next formal meeting of the Cabinet which will explain why they had taken the decision as a matter of urgency.*

Therefore, following consultation with the Leader of the Council, it is recommended that to enable formal decisions to be made on behalf of Cabinet the following procedure should be adopted:

- Reports that would have been considered by Cabinet are emailed to the Group Leaders;
- a period of five working days would be provided for Group Leaders to email any comments/questions etc. to the relevant Portfolio Holder, Leader and officer(s) identified;
- responses to comments/questions would be supplied to the Group Leaders;
- this information will be taken into account by the Leader prior to making his formal decision;
- a formal decision will be published recording the matters taken into account;
- at the first formal meeting of Cabinet a report of the decisions taken by the Leader under urgency powers will be produced; and
- if it was necessary for a key decision to be made under urgency provisions this must be reported to Full Council (in accordance with the Access to Information Procedure Rules 15 & 16.2).

Whilst it is anticipated that decisions taken during urgency provisions would be limited or uncontroversial in nature, with Group Leaders' comments being sought prior to decisions being made, it must be highlighted that the ability of Members to undertake the statutory overview and scrutiny function is not removed."

The Monitoring Officer considered that, in responding to COVID-19, the Council was in exceptional times which therefore satisfied the grounds of urgency.

In making the decisions in question the Leader of the Council exercised his delegated power as set out in the Council's Constitution in Part 3, Schedule 3 (Responsibility for Executive Functions) - Section 3 (General Principles Regarding Decision Making by the Cabinet) – Principle 4b [Part 3.28].

#### **DECISIONS TAKEN AS A MATTER OF URGENCY**

The following decisions were referred to at the Group Leaders meeting held on 20<sup>th</sup> March, through wider discussions with Members and the Statutory Officers. The published Cabinet agenda for the meeting which was due to be held on 20<sup>th</sup> March 2020 included a number of the reports, supporting many of the decisions referred to below.

##### **(1) Business Rates Covid-19 Grants Scheme [Published 26 March 2020]**

**Decision:** That a delegation of power be given to the Council's Section 151 Officer to put in place the necessary arrangements to deliver the Government's Business Rates COVID 19 Grants scheme.

**(2) CAROS Scheme – Waiver of Rents [Published 26 March 2020]**

**Decisions:**

- (a) To waive rent payable under the CAROS scheme for a period of 3 months for all organisations eligible for CAROS support.
- (b) That the Council's Monitoring Officer has delegated authority to undertake the necessary steps to implement this decision.

**(3) Council Tax Hardship Scheme [Published 26 March 2020]**

**Decision:**

That a delegation of power be given to the Council's Section 151 Officer to put in place the necessary arrangements to deliver the Government's Council Tax Hardship Scheme.

**(4) Tendring Community Fund – Allocation of £1,000 to Members [Published 26 March 2020]**

**Decisions:**

- (a) Allocation of £1,000 to each ward Member from the Tendring Community Fund to support local communities during the current coronavirus disruption; and
- (b) That the Council's Section 151 Officer has delegated authority to undertake the necessary steps to implement this decision.

**(5) Write-Off of Leisure Facilities Income for April 2020 [Published 26 March 2020]**

**Decision:** To write-off Leisure Facilities Memberships Income for April 2020.

**(6) Annual Capital and Treasury Strategy 2020/21 [Published 24 April 2020]**

**Decisions:**

- (a) That the outcome from the meeting of the Resources and Services Overview & Scrutiny Committee held on 17 February 2020 be noted; and
- (b) That the Annual Capital and Treasury Strategy for 2020/21 (including Prudential and Treasury Indicators) be submitted to Council for approval in accordance with the procedures contained the Note on Decision Making Business Continuity Arrangements issued by the Monitoring Officer (Lisa Hastings) on Friday 20 March 2020.

**(7) Annual Review of the Council's Constitution [Published 24 April 2020]**

**Decisions:**

1. That Cabinet RECOMMENDS TO COUNCIL:
  - (a) that the Council's Constitution be amended to reflect the proposed changes as set out in this report and the appendices attached hereto (with the exception of Appendix S which relates to executive functions);
  - (b) that all changes come into effect from the date on which they are approved by Full Council;
  - (c) that Group Leaders be commended to strongly urge that all Members attend planning and licensing training events which would both increase the number of named substitutes that Group Leaders would have at their disposal as well as providing Members with greater knowledge of the workings of the Council that will prove useful to them in their Ward and wider representational roles; and
  - (d) that the Monitoring Officer be requested to undertake a review of the public speaking scheme for the Planning Committee in accordance with Council Procedure Rule 40, as amended.
2. That Cabinet resolves:
  - (a) that the proposed changes to the Scheme of Delegation (Schedule 3 – Responsibility for Executive Functions), as set out in Appendix S, be approved;
  - (b) that the Head of Democratic Services & Elections and the Head of Legal and Governance Services & Monitoring Officer, in consultation with the Deputy Leader of the Council, the Chairmen of the overview and scrutiny committees, the Chairman of the Audit Committee and one other Portfolio Holder (to be decided by the Deputy Leader), be authorised to draft a formal Executive-Scrutiny Protocol for this Council and to submit this to the Overview and Scrutiny Committees and Cabinet for adoption;
  - (c) that the Head of Legal and Governance Services & Monitoring Officer, in conjunction with the Head of People, Performance and Projects, be requested to review the Council's Whistleblowing Policy in order to make sure that it is robust and report any necessary amendments to the Human Resources and Council Tax Committee; and
  - (e) that the Head of Democratic Services & Elections be requested to incorporate within the Member Development Scheme regular training on overview and scrutiny matters (including, for example, on the clear division of responsibilities between the Council's scrutiny function and its audit function).

**(8) Creative and Cultural Strategy for Tendring [Published 24 April 2020]**

**Decisions:**



- (a) That the Creative and Cultural Strategy for Tendring be formally adopted and implemented;
- (b) That the establishment of a Tendring Creative and Cultural Board to be chaired by the Portfolio Holder for Leisure and Tourism and to include the participation of the Portfolio Holder for Business and Economic Growth be approved;
- (c) That it is noted that the actions needed to deliver the Creative and Cultural Strategy will be developed as part of annual Departmental Service Plans across the Council; and
- (d) That the allocation of £100,000 from the Council's Business Investment and Growth Budget to support delivery of the Strategy be approved.

**(9) Education, Economy and Skills [Published 24 April 2020]**

**Decision:**

That the Community Leadership Overview and Scrutiny Committee's recommendation be noted and that the Partnerships Portfolio Holder's response thereto (as set out below) be endorsed:

*"I thank the Community Leadership Overview and Scrutiny Committee for their recommendation.*

*I fully endorse the idea of Members considering School Governorship in support of local schools and to that end, I provide below, the link to Essex County Council's School Governors web page for any member that may be interested in pursuing this."*

<https://www.essex.gov.uk/school-governors>

**(10) Performance Report Quarter 3: October – December 2019 [Published 24 April 2020]**

**Decision:**

That the Resources and Services Overview and Scrutiny Committee's recommendation be noted; that the Corporate Finance and Governance Portfolio Holder's response thereto (as set out below) be endorsed; and that the recommendation contained therein be adopted:

"I would like to thank the Resources and Services Committee for their recommendation.

I understand that at the meeting, members of the Committee proposed that the Manningtree Underpass Project Performance Target Indicator fits better with the Community Leadership Overview & Scrutiny Committee's work programme as Tendring's role is that of 'influence only'.

I further understand that following discussion with Officers, it was determined that the indicator should be submitted to the Council's Community Leadership Overview and Scrutiny Committee; in addition to the Resources and Services Overview and Scrutiny Committee.

However, in accordance with the Committee's initial request, I am recommending to Cabinet that future Performance Reports be amended so this indicator is reported to the Community Leadership Overview & Scrutiny Committee only".

**(11) Scrutiny of the new Waste and Recycling Collection Service [Published 24 April 2020]**

**Decision:**

That the Resources and Services Overview and Scrutiny Committee's recommendations be noted and that the Environment and Public Space Portfolio Holder's responses thereto (as set out below) be endorsed:

"(a) I would like to thank the Committee for a thorough and robust review of the roll out of the new Contract. I do think that it is unfortunate that whilst the Committee acknowledges the hard work of officers the actions of a small number of Councillors, and their inappropriate communications with officers has unnecessarily added to the workload faced by officers in rolling out the new contract.

(b) I will certainly pick this up with my Officers and make sure that our concerns are addressed with ECC and request that action is taken to deal with the issue.

(c) I do not recognise this issue, other than as an opportunity to criticise me as portfolio holder for information, I was not asked to provide except in an 'off the cuff' fashion at the Meeting, bearing in mind the subject of the agenda item which was to review the implementation of the new waste and recycling service. I will bring forward in due course an options paper to consider what further measures can be put in place to increase recycling rates, within our Budget parameters.

(d) As has been outlined to the Committee previously comparable statistics are only useful as a guide as there are different arrangements in place and different costs associated with those different arrangements in other Districts and of course Tendring residents are still getting used to the new arrangements. Revised performance indicators will of course be put in place in due course.

(e) This matter is already in hand and on Tuesday 25 February Damian Williams spoke to me about the requested tour of a Veolia recycling facility. He said it is currently being arranged and invited me to write the invitation to Members when final details are known.

(f) I will be discussing these suggestions with officers."

**(12) Tendring Heritage Strategy [Published 24 April 2020]**

**Decisions:**

(a) That the outcomes of the Heritage Strategy public consultation be noted;

(b) That the changes to the Heritage Strategy suggested in the Portfolio Holder's report be approved;

(c) That the Tendring Heritage Strategy be now adopted and implemented; and

(d) That it is noted that the actions to deliver the Heritage Strategy will be developed as part of annual Departmental Service Plans across the Council.

**(13) Write-off Leisure Facilities Memberships Income for May 2020 [Published 29 April 2020]**

**Decision:** To write-off Leisure Facilities Memberships Income for May 2020.

**(14) Discretionary Business Grants Scheme [Published 2 June 2020]**

**Decisions:**

- a) That the Discretionary Business Grants Scheme 2020/21 be approved; and
- b) That the Leader of the Council delegates authority to the Chief Executive to implement and administer the scheme and amend the policy in line with any emerging Government guidance.

**BACKGROUND PAPERS**

Note on Decision Making Business Continuity Arrangements issued by the Monitoring Officer (Lisa Hastings) on Friday 20 March 2020.

Published Executive Decisions taken by the Leader of the Council in the period 26 March to 5 June 2020.

**APPENDICES**

None.

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<b>Key Decision Required:</b>	<b>NO</b>	<b>In the Forward Plan:</b>	<b>YES</b>
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## CABINET

26 JUNE 2020

### REPORT OF CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

#### **A.2 PROGRAMME OF MEETINGS: AUGUST 2020 TO APRIL 2021**

(Report prepared by Ian Ford and Lisa Hastings)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To enable Cabinet to give consideration to the programme of meetings for the period August 2020 to April 2021.

##### **EXECUTIVE SUMMARY**

Members will be aware that the Cabinet, is required by the Constitution, to submit for formal approval to the Annual Meeting of the Council a programme of meetings for the forthcoming Municipal Year. However, due to the outbreak of Covid-19 and the ensuing global public health emergency, meetings of the Council (including the Annual Meeting), its Committees and the Cabinet were unable to take place during March, April and early May 2020. Legislation was passed that permitted Councils not to hold an Annual Meeting in 2020.

In addition, Parliament enacted The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the “Regulations”) which enable local authorities to hold meetings remotely such as video conferencing and to ‘live stream’ those meetings to enable the public to watch, and/or listen to, the proceedings.

Paragraph 4 of the Regulations permitted the Council to determine how such meetings were held and enabled flexibility on the time and date and frequency without the requirement of additional notice. With the approval of the relevant Chairmen, one Cabinet meeting, two Planning Committee meetings, one Planning Policy & Local Plan Committee meeting and one Resources and Services Overview and Scrutiny Committee meeting have been arranged and successfully held under the new Regulations.

It is therefore considered timely that a full programme of meetings for the remainder of what would have been the 2020/21 municipal year be submitted for Cabinet’s endorsement in order that it can then be submitted for approval to Full Council. The programme also includes provisional dates for part of 2021/22.

##### **RECOMMENDATIONS**

- (a) **that the programme of meetings for the Council and its Committees, as set out in the Appendix to this report, be agreed, in principle, and be submitted to Full Council for formal approval; and**

**(b) that the proposed dates for All Member Briefings for Members be noted.**

## **PART 2 – SUPPORTING INFORMATION**

### **BACKGROUND**

A draft programme of meetings for the period August 2020 to April 2021 has been prepared and is set out as an Appendix to this report. The dates of meetings from September 2020 onwards are the same dates as were included within the published agenda for the March 2020 Cabinet meeting though Members will be aware, of course, that that meeting had to be cancelled due to the country going into 'lockdown' for the Covid-19 emergency.

The meetings of the Full Council, the Community Leadership Overview and Scrutiny Committee, the Human Resources and Council Tax Committee, the Licensing and Registration Committee and the Resources and Services Overview and Scrutiny Committee will normally commence at 7.30 p.m.

Meetings of the Planning Committee and the Planning Policy and Local Plan Committee will normally commence at 6.00 p.m. Meetings of the Planning Policy and Local Plan Committee will be arranged as and when required.

Meetings of the Standards Committee will normally commence at 10.00 a.m.

Meetings of the Audit Committee will normally commence at 10.30 a.m.

It is expected that all meetings will continue to be held remotely in accordance with the Regulations for the foreseeable future. The Regulations allow the format, location, timing and frequency of meetings to be amended, without further notice, if required. Due to the on-going response to the COVID-19 pandemic it is important that the manner in which meetings are under is kept under constant review and will be determined following consideration to the Regulations, Government Guidance and Health and Safety Risk Assessments.

If it does prove possible to hold 'physical' meetings either in whole or in part then meetings of the Full Council will usually be held in the Princes Theatre, at the Town Hall, Clacton-on-Sea. Meetings of the above-mentioned Committees will usually be held in the Council Chamber at the Council Offices, Thorpe Road, Weeley (though please refer to the section on the Council Offices, Weeley included below), with the exception of the Audit Committee which will normally meet in the Connaught Room, at the Town Hall, Clacton-on-Sea.

Members will be aware that Cabinet meetings are fixed by the Leader of the Council in accordance with Article 7.08 Cabinet Procedure Rules sub-section 1.1 of the Council's Constitution and therefore the scheduling et cetera may change. If able to be held in a physical location then the public meetings of the Cabinet listed will normally commence at 10.30 a.m. in the Essex Hall, at the Town Hall, Station Road, Clacton-on-Sea.

The programme does not show meetings of the Sub-Committees, which are arranged either at meetings of the relevant Sub-Committee or from time to time when required. Dates for All Member Briefings have been included in order to assist Members in keeping their diaries up-to-date.

Closure of the Council Offices at Thorpe Road, Weeley

Cabinet will be aware that, as part of the “Transforming Tendring” project, the Council Offices at Weeley will be closed and the site disposed of, with the departments currently based at Weeley being moved to Clacton-on-Sea. This will obviously mean that the current Council Chamber at Weeley would then no longer be available for Committee etc. meetings.

In preparation for this disposal a phased programme of office accommodation works is underway at the Town Hall, Clacton-on-Sea. Included within these works is the provision of a new Council Chamber within the Town Hall in Clacton. Once that is operationally available a phased transition of Committee etc. meetings from Weeley to Clacton will take place.

**BACKGROUND PAPERS FOR THE DECISION**

None.

**APPENDICES**

Programme of Meetings for the period August 2020 to April 2021

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**TIMETABLE OF MEETINGS – 2020/2021 MUNICIPAL YEAR**

**2020**

<b>Body</b>	<b>Time</b>	<b>Day</b>	<b>Date</b>	<b>Notes</b>
<b>COUNCIL (Already agreed)</b>	7.30 p.m.	Tuesday	21 July	Note 1

Cabinet	10.30 a.m.	Friday	24 July	
Planning Committee	6.00 p.m.	Tuesday	11 August	Note 1
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Thursday	13 August	Note 1
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	19 August	
Planning Committee	6.00 p.m.	Wednesday	2 September	Note 7
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	9 September	
Cabinet	10.30 a.m.	Friday	11 September	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	15 September	

Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	21 September	
Planning Committee	6.00 p.m.	Tuesday	22 September	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	28 September	
Audit Committee	10.30 a.m.	Thursday	1 October	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	7 October	
Cabinet	10.30 a.m.	Friday	9 October	
Standards Committee	10.00 a.m.	Wednesday	14 October	
Planning Committee	6.00 p.m.	Tuesday	20 October	
Human Resources & Council Tax Committee	7.30 p.m.	Wednesday	21 October	
Licensing & Registration Committee	7.30 p.m.	Wednesday	28 October	
Cabinet	10.30 a.m.	Friday	13 November	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	16 November	
Planning Committee	6.00 p.m.	Tuesday	17 November	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	18 November	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	24 November	

Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	30 November	
Planning Committee	6.00 p.m.	Tuesday	15 December	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	16 December	
Cabinet	10.30 a.m.	Friday	18 December	

**2021**

Resources and Services Overview & Scrutiny Committee	9.30 a.m.	Tuesday	5 January	Note 2
Resources and Services Overview & Scrutiny Committee (PROVISIONAL)	9.30 a.m.	Monday	11 January	Note 2
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	18 January	
Planning Committee	6.00 p.m.	Tuesday	19 January	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	20 January	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	26 January	

Licensing & Registration Committee	7.30 p.m.	Wednesday	27 January	
Audit Committee	10.30 a.m.	Thursday	28 January	

Cabinet	10.30 a.m.	Friday	29 January	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	1 February	
Standards Committee	10.00 a.m.	Wednesday	3 February	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	16 February	Note 3

Planning Committee	6.00 p.m.	Wednesday	17 February	Note 4
Cabinet	10.30 a.m.	Friday	19 February	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	24 February	
Human Resources & Council Tax Committee	7.30 p.m.	Thursday	25 February	Note 5
<b>COUNCIL (PROVISIONAL)</b>	7.30 p.m.	Monday	1 March	Note 6
<b>COUNCIL</b>	7.30 p.m.	Tuesday	16 March	

Planning Committee	6.00 p.m.	Wednesday	17 March	Note 4
Cabinet	10.30 a.m.	Friday	19 March	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	22 March	
Audit Committee	10.30 a.m.	Thursday	25 March	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	29 March	
Planning Committee	6.00 p.m.	Tuesday	13 April	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	14 April	
Standards Committee	10.00 a.m.	Wednesday	21 April	
Human Resources & Council Tax Committee	7.30 p.m.	Wednesday	21 April	
Licensing & Registration Committee	7.30 p.m.	Thursday	22 April	
Cabinet	10.30 a.m.	Friday	23 April	
<b>ANNUAL MEETING OF THE COUNCIL</b>	7.30 p.m.	Tuesday	27 April	

### 2021/2022 MUNICIPAL YEAR

(Provisional dates for early cycles of meetings in 2021/2022 – for information only, subject to change)

Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	10 May	
Planning Committee	6.00 p.m.	Tuesday	11 May	
ALL MEMBER BRIEFING	6.00 p.m.	Thursday	13 May	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	18 May	

Cabinet	10.30 a.m.	Friday	21 May	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	24 May	
Planning Committee	6.00 p.m.	Tuesday	8 June	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	16 June	
Cabinet	10.30 a.m.	Friday	18 June	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	5 July	
Planning Committee	6.00 p.m.	Tuesday	6 July	
Human Resources & Council Tax Committee	7.30 p.m.	Wednesday	7 July	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	13 July	

Licensing & Registration Committee	7.30 p.m.	Wednesday	14 July	
Cabinet	10.30 a.m.	Friday	16 July	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	19 July	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	21 July	
Standards Committee	10.00 a.m.	Wednesday	28 July	
Audit Committee	10.30 a.m.	Thursday	29 July	
Planning Committee	6.00 p.m.	Tuesday	3 August	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	18 August	

Planning Committee	6.00 p.m.	Wednesday	1 September	Note 7
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	8 September	
Cabinet	10.30 a.m.	Friday	10 September	
<b>COUNCIL</b>	7.30 p.m.	Tuesday	14 September	

Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Monday	20 September	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Monday	27 September	
Planning Committee	6.00 p.m.	Tuesday	28 September	
Cabinet	10.30 a.m.	Friday	8 October	
Human Resources & Council Tax Committee	7.30 p.m.	Wednesday	20 October	
ALL MEMBER BRIEFING	6.00 p.m.	Thursday	21 October	
Planning Committee	6.00 p.m.	Tuesday	26 October	
Standards Committee	10.00 a.m.	Wednesday	27 October	
Audit Committee	10.30 a.m.	Thursday	28 October	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	17 November	
ALL MEMBER BRIEFING	6.00 p.m.	Wednesday	15 December	

### **Notes**

1. These meeting dates have already been agreed by the relevant Chairmen.
2. Meeting arranged on Tuesday 5 January 2021 to allow the Resources and Services Committee to consider and then formally comment on the Cabinet's Financial Forecast and initial budget and special expenses proposals. Monday 11 January 2021 meeting provisionally arranged to allow the Committee to discuss those proposals with Portfolio Holders (if so desired). Portfolio Holders are requested to reserve this date (11 January) in their diaries in the likelihood that the meeting will take place. Portfolio Holders will be notified if this meeting does not go ahead.
3. Meeting of the Council to approve the Cabinet's budget proposals and set the Council Tax but excluding County, Fire and Police Council Tax calculations.
4. Meeting scheduled to be held on the Wednesday due to the Full Council meeting on the Tuesday.
5. Meeting to formally confirm the implications of the County, Fire and Police precepts on the Council's Collection Fund and for each Council Tax band in the parished and unparished areas of the District.
6. Provisional extra meeting of the Council arranged in order to allow the Council to meet and consider the Cabinet's revised budget proposals or the Cabinet's disagreement with the Council's budget objections (which may arise following the Council meeting referred to in note 3 above.)
7. Meeting scheduled to be held on the Wednesday as the Monday of that week is a Bank Holiday.

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<b>Key Decision Required:</b>	<b>Yes</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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## CABINET

26<sup>th</sup> JUNE 2020

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING

#### **A.3 HOUSING STRATEGY 2020-2025 – DELIVERING HOMES TO MEET THE NEEDS OF LOCAL PEOPLE**

(Report prepared by Peter Russell)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To recommend to Full Council a new Housing Strategy 2020-2025 for adoption.

##### **EXECUTIVE SUMMARY**

Local authorities are not required by Government to have a formal housing strategy, but they are expected to adopt a strategic approach to housing in their local areas to deliver a thriving housing market and address local needs. Draft Housing Strategy was presented to and agreed by Cabinet at its meeting in July 2019, to enable consultation to be undertaken seeking the views of the public and partners.

The strategy identifies four key strategic housing priorities as follows:

- Delivering homes to meet the needs of local people
- Reducing and preventing homelessness and rough sleeping
- Making the best use of and improving existing housing
- Supporting people in their homes and communities.

It is the first of these strategic housing priorities that gives the strategy its title as by the end of the strategy, it is hoped that there will be new council housing being delivered in the district for the first time in a generation.

##### **RECOMMENDATION(S)**

**That Cabinet:**

- 1. Recommends to Full Council a new Housing Strategy 2020-2025 and the accompanying Delivery Plan for adoption and;**
- 2. delegates authority to the Housing Portfolio Holder to monitor performance against the Delivery Plan with periodic updates being presented to Cabinet following the Strategy’s adoption.**

#### **PART 2 – IMPLICATIONS OF THE DECISION**

##### **DELIVERING PRIORITIES**

The decisions will contribute to the following priorities in the Corporate Plan 2020-2024:

## **Community Leadership Through Partnerships**

The strategy's priorities stress the need for a partnership approach to deliver new homes, jobs and infrastructure as well as tackling homelessness, making the best use of the existing stock in all sectors and supporting residents in their communities.

## **Building Sustainable Communities for the Future**

The strategy will play a key role in enabling and delivering new housing in all sectors in the district.

## **FINANCE, OTHER RESOURCES AND RISK**

### **Finance and other resources**

The Housing Revenue Account was predicted to have reserves of £4.36m by the end of March 2020 and this will leave the housing service in a positive financial situation. The rent cap has been lifted for 2020/21 and so, in theory, the Council's housing finances should improve. The Council is confident that it can increase expenditure on acquisitions and development using the increased revenue income and prudential borrowing. The Housing Investment Programme for 2020/2021 is approximately £3m which contributes to improvements to council stock, disabled adaptations in council homes, and environmental and estate improvements.

Homelessness expenditure has increased following the implementation of the Homelessness Reduction Act 2017 but this has been off-set by government grants. By the end of this financial year the Council would have received just over £1m in Flexible Homelessness Support Grant as well as £272,655 of new burdens funding since 2017/18. The Homelessness Support Grant allocation for 2020/21 is £666,189.

The Council has received an allocation of just over £2m for disabled facilities grants for 2020/21.

The Housing Strategy sets out a number of actions and priorities that ensures the Council continues to be in a strong financial position whilst facilitating the acquisition and development of new homes.

### **Risk**

The council is still awaiting the results of Government's consultations on its Housing Green Paper "A New Deal for Social Housing" and Right to Buy reform. Furthermore, at the time of adopting this strategy, the country is in the midst of the Covid-19 pandemic which will increase costs to the Council in areas such as homelessness and impact on the delivery of housing and rent collection.

A key risk is that the priorities and actions in the strategy are not delivered. A robust delivery plan and review mechanism will be put in place, It is important that aspirations are realistic and partners engaged as necessary.

## **LEGAL**

Whilst there is no statutory requirement for the Council to produce a housing strategy, it is influenced by various pieces of legislation which are set out in the document.

It is important for the Council to provide detail on the local housing market and the demand for housing, setting out how it plans to deliver new housing in the district and the Council's role as a landlord. The Council's Policy Framework, as set out in Article 4 of the Constitution provides that the plan and strategy which comprises the Housing Investment

Programme (Housing Revenue Account Business Plan and Housing Strategy) must be approved or adopted by the full Council.

## **OTHER IMPLICATIONS**

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

### **Crime and Disorder**

The housing strategy emphasises the need to tackle homelessness and rough sleeping and although rough sleeping numbers remain low, the perception is that rough sleeping and street activity can make areas feel unsafe.

### **Equality & Diversity**

The housing strategy emphasises the need to deliver good quality accessible accommodation to meet the needs of our elderly and less able residents and the delivery of accessible accommodation will be a priority for the Council's future acquisitions and development programme. The council also commits to work other partners and commissioners to deliver specialist accommodation for older and less able residents and to create better and more tailored information for the most vulnerable homeless clients and their advocates. An Equality Impact Assessment accompanies the Housing Strategy.

### **Health Inequalities**

All of the four strategic priorities will address health inequalities in the district. The delivery of homes, reducing homelessness and rough sleeping, improving stock in all sectors and supporting people in their homes and communities will improve health outcomes for local residents.

### **Area or Ward affected**

All wards covered

### **Consultation & Public Engagement**

A draft Housing Strategy was opened for public consultation in December 2019 and a summary of the key consultation responses is written in the strategy document. Prior to going out to consultation, the four strategic priorities were discussed with the Leader & Deputy Leader of the Council and the Housing Portfolio Holder. Presentations were also made to the Senior Managers Forum and Tenants Panel as well as the East of England Housing Learning & Information Network which campaigns for accessible accommodation for the elderly and less able.

Prior to the consultation being undertaken on the draft Housing Strategy, a presentation

was given to the Council's Community Leadership Overview and Scrutiny Committee, who noted the contents of the report. No further recommendations were made to Cabinet on its content or suggested approach.

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

This strategy has been developed to guide the future delivery of new homes in the district, especially affordable housing for local people. It will also guide the future management and direction of our housing service.

The strategy sets out the national and local strategic setting for housing and the demographics that have informed the development of the strategy. It sets out the social indicators that present the greatest challenges to the Council such as deprivation and health inequalities in some parts of the district and homelessness.

The strategy gives detail on the local housing market and the demand for housing. It sets out how the Council plans to deliver new housing in the district and the Council's role as a landlord. Detail is given on the Council's housing finances with relation to the Housing Revenue Account and General Fund.

The Council's last housing strategy expired in 2009 and the delay in producing this strategy has been influenced by the uncertainty over the housing numbers required for the district and a lack of capacity in housing services following restructures since 2010. The housing numbers are now more or less agreed in the emerging Local Plan and most recent Strategic Housing Market Assessment, however at the time of adopting this strategy, the council is still awaiting the confirmed decision of the Planning Inspectorate's examination of the emerging Local Plan.

#### **BACKGROUND PAPERS FOR THE DECISION**

None

#### **APPENDICES**

**Appendix A – Draft Housing Strategy 2020-2025 – Delivering homes to meet the needs of local people.**

**Appendix B – Housing Strategy 2020-25 Delivery Plan**



# Housing Strategy

## 2020-2025

Tendring District Council

**DELIVERING HOMES TO MEET  
THE NEEDS OF LOCAL PEOPLE**



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# Foreword (Portfolio Holder for Housing)

The Tendring district is a great place to live with a fantastic coastline and beautiful countryside but it does face many social challenges. This Housing Strategy 2020-2025 has been produced at a time when we face change, not only nationally but locally too. The Council, in its community leadership role, is determined to work with our statutory and non-statutory partners to deliver local homes for local people, tackle homelessness, make the best use of existing housing and support people in their homes and communities.

The effects of climate change are something that the Council has taken very seriously, and declared a Climate Emergency with a target for net zero emissions from our own operations by 2030. The declaration also includes an ambition to influence the district as a whole towards a net zero emissions target. These are ambitious targets that I support wholeheartedly and believe we can influence both through our strategic housing role and as a housing stock holder.

At the heart of this strategy is a commitment to deliver new Council housing in the district for the first time in a generation. The Council has an excellent reputation as a landlord and we want to be an excellent enabler and provider of new, quality, energy efficient homes in our towns and villages. We remain committed to work with other partners to deliver new homes across the district from larger developments to smaller, community based schemes in our villages.

Homelessness is increasing and we are desperately short of accommodation in all sectors so we will work with other public and private providers to provide a range of housing models in the district to meet our residents' needs. Our new Homelessness Reduction and Rough Sleeping Strategy 2020-24 sets out our plans to deliver more accommodation, improve partnership working and stresses the need for earlier intervention to prevent homelessness and rough sleeping. The Covid-19 pandemic has presented new challenges to the Council and we are determined that housing will play a key role in the district's subsequent recovery.

Our private rented sector requires improvement and therefore we will continue to work proactively with landlords to improve homes and tackle the worst housing conditions using our enforcement powers. We will aim to make the best use of existing stock by reviewing our incentive schemes to assist tenants to move to the right size accommodation. We will also continue to deliver an annual Housing Investment Programme to ensure our own tenants live in decent affordable homes and environments.

As our population ages, we will work with other partners and commissioners to meet the needs of our older residents and will seek to provide new, accessible homes. Our aim is to ensure that our older and disabled residents can remain in their homes as long as they want to and we will provide adaptations and support them to meet this aim.

Housing is not just about bricks and mortar and we want to take a holistic look at housing in the district. Housing can play a key role in delivering the infrastructure which our district needs. Whilst we will become more active in developing our own homes, we will nurture good partnerships to ensure the priorities set out in this strategy are delivered.

*Councillor Paul Honeywood*

Portfolio Holder for Housing

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# Executive Summary

This housing strategy for the Tendring District has been developed at a time of major actual and proposed changes to the national housing landscape and financial constraints for the Council. Housing was one of the key issues at the General Election 2019 at a time where the sector was experiencing high prices, decreasing home ownership rates, unaffordable rents, insecurity of tenure, rising homelessness and lack of affordable housing delivery. In recent years, we have seen the introduction of neighbourhood planning and the Localism Act 2011, changes to the National Planning Policy Framework, welfare reforms, increased regulation in the private rented sector, the tragedy of Grenfell Tower, the most fundamental change in homelessness legislation in many years and the Covid-19 pandemic. Whilst local authorities are not required by Government to have a formal housing strategy, they are expected to adopt a strategic approach to housing in their local areas to deliver a thriving housing market and to address local needs.

This housing strategy has been developed to guide the future delivery of new homes within the district to meet local needs and to guide the future management and direction of our housing service. Tendring District Council retains its own housing stock and currently has 3111 homes in its ownership. The Council is the largest landlord in the district and remains fully committed to this role and will consult with and continue to support our tenants to ensure that they all have a decent, affordable home in an area that they feel proud of.

Whilst Tendring is a great place to live, work and visit, it has some distinct challenges which the Council and its partners need to address. The district rates highly on the Index of Multiple Deprivation with Jaywick Sands being the most deprived ward in England. The regeneration of Jaywick Sands is one of the challenges facing the Council and the Council has listened to the local community and is committed to working with them to address the structural, environmental and housing issues in the area. The Council is currently building 5 new homes to rent and 5 new homes for discounted sale in Jaywick Sands and has purchased approximately 28 hectares of land for potential future development. A Local Lettings and Sales Plan will be adopted to prioritise the rented homes for Jaywick Sands residents and the discounted homes for sale for Key Workers. Although Jaywick Sands is the most deprived area in the UK, other parts of the district suffer from deprivation and it is estimated that 1 in 7 people in the district live in a deprived area and 1 in 5 children in the district live in poverty.

Tendring district has one of the highest proportion of over 65's in the UK and the prediction is for this age group to continue increasing. Addressing the housing and other needs of the elderly will be paramount over the coming years. The Council is committed to making sure everyone has a decent home to live in that meets their needs regardless of the sector they live in. Good health begins at home and housing plays a pivotal role in addressing health inequalities and improving the health and well-being of the community.

Tendring is an area where housing growth has stalled in recent years and the number of homes delivered has not met targets. Although we are now seeing more homes being delivered and the signs for future delivery are encouraging, the number of affordable homes being delivered has been low. The Council is working in partnership with our neighbouring authorities on an ambitious Garden Communities settlement which will be delivered on our border with Colchester. It is hoped this will deliver between 7,500 and 9,000 homes over a 30-40 year period with the necessary infrastructure in place before the homes (including affordable homes) are delivered. The emerging Local Plan requires affordable housing to be delivered on sites of 11 properties or more. The requirement is for 30% of housing on such sites to be delivered as affordable housing. The Council also wants to build Council housing and will produce an Acquisitions and Development Policy to facilitate this objective and to meet the housing needs of our younger and older residents.

Homelessness has increased in recent years and the number of households accepted as homeless and the number placed in temporary accommodation has increased significantly. The Homelessness Reduction Act 2017 did place some additional burdens on the Council but it is the lack of suitable accommodation in the private sector that is primarily responsible for the increase in demand. Rough sleeping is the most extreme form of homelessness and whilst the numbers sleeping rough in the district are low, the Council is keen to explore new methods of working with the most vulnerable homeless clients.

In order to meet the challenges facing the district, the Council has identified four key housing priorities, as follows:

- 1. Delivering homes to meet the needs of local people**
- 2. Reducing and preventing homelessness and rough sleeping**
- 3. Making the best use of and improving existing housing**
- 4. Supporting people in their homes and communities**



# Consultation Findings

The draft housing strategy went out to consultation in December 2019 following the general election held on 12th December. The consultation period lasted for six weeks. The draft strategy was published on the Council's website for the wider community to comment on and was also sent to each registered provider who has accommodation in the district as well as each Town and Parish Council. The draft strategy was also sent to each of the voluntary and statutory agencies and partners in the district.

In light of the consultation responses, it was necessary to make amendments to the draft version of the strategy. The most common response highlighted that the draft housing strategy made no reference to climate change. The Leader of the Council declared a climate change emergency in August 2019 after the original version of the strategy had been drafted and approved to go out to consultation. This final version of the housing strategy has included reference to the climate change emergency and the role that housing can play in tackling this issue.

Some responses also referred to the lack of affordable homes delivered in recent years and what the Council's

plans were to address this shortfall. The Council has announced it aspires to deliver at least 200 new homes over the course of this strategy which will supplement delivery by other registered providers. The number of new affordable homes delivered in 2019/20 was nearly as many as in the previous four years so progress is being made but it is clear that the number is low when compared to the increased demand. An Acquisitions and Development Policy will be adopted alongside this strategy to set out the Council's plans to deliver new homes over the course of this strategy. This policy will set out where the homes are needed and how they will be funded.

It was mentioned in some of the consultation responses that other strategies referred to in the draft housing strategy had expired or were due to expire, in particular the Empty Homes Strategy and the Resident Involvement Strategy. New plans and strategies will be delivered as set out in the Delivery Plan in Appendix 1 of this strategy.

Other responses asked what the Council could do to give priority to Key Worker housing. The Council has adopted a Local Lettings and Sales Plan for its new homes in Jaywick Sands and potentially for other new homes in that area. The plan gives priority to Key Workers for the discounted homes for sale. There is a

likelihood that the needs of Key Workers will become more focused following their response to the Covid-19 pandemic and the Council will take steps to address any national or local initiatives accordingly.

In terms of temporary accommodation, the Council was asked what it could do to provide temporary accommodation in other parts of the district. The Council's Homelessness Reduction and Rough Sleeping Strategy 2020-2024 aspires to end the use of nightly paid accommodation by the end of 2024 and therefore procuring nightly paid accommodation in other parts of the district is not seen as a priority. The Homelessness Reduction and Rough Sleeping Strategy sets out plans the Council intends to take to reduce reliance on nightly-paid accommodation.

Finally, the Council was asked what it could do to provide more supported accommodation for those with mental health problems. The Council does not traditionally provide supported housing, except in our sheltered housing schemes, and this type of accommodation is normally provided by other providers. The Council will work with partners and support any bids for funding that other providers make to deliver this type of accommodation in the district where it is needed.

# Part 1 – The strategic setting

## The national strategic setting

There have been considerable changes to the national policy framework in recent years which affect both housing and planning. The changes include:

- ◆ **Localism Act 2011** – Changes introduced by the Localism Act 2011 gave local communities more influence over development in their local areas and policies. The act also gave local authorities the power to set their own eligibility criteria on their housing registers in relation to residency requirements. Significantly, the act fundamentally reformed the rules of local authority housing finance and allowed the Council to become “self-financing”.

- ◆ **Welfare Reform & Work Act 2016** – Introduced 5 year 1% per year rent reduction across the social housing sector

**Housing and Planning Act 2016** – This legislation introduced an initiative for “starter homes” which are available to first-time buyers between the ages of 23 and 39 at a discount of 20%. The Government continues to support and encourage other low cost home ownership options such as Help to Buy and shared ownership. The legislation also extended the right to acquire to housing association tenants to give them the similar rights as Council tenants. New measures were introduced in the private sector such as rent repayments orders, civil penalties as an alternative to prosecution, and a proposed national rogue landlord's database. A number of measures proposed will no longer be implemented such as forcing Council's to offer fixed term tenancies, forcing the sale of higher value Council homes and the “pay to stay” proposals for tenants earning over

£31,000 per annum in the district.

- ◆ **Housing White Papers** – Fixing our broken housing market (February 2017) The right homes in the right place (September 2017) – recognised the failure to build enough homes to meet people's housing needs. They recognised the need to build more homes and diversify the housing market and that changes needed to be made to the planning system to facilitate development and build homes faster. It encouraged support for smaller builders, local authorities and registered providers to build and supported custom and self-build initiatives.
- ◆ **Homelessness Reduction Act 2017** – Fundamentally changed how local authorities respond to homelessness in their districts. The legislation made homelessness prevention and relief a statutory duty and increased the duties owed to households who do not have a priority need or are intentionally homeless. Councils are now required to develop personalised support plans with clients and to ensure advice and information is available to the most vulnerable households.
- ◆ **National Planning Policy Framework 2018** (amended in February 2019) – Defined major development as a development consisting of 10 or more properties and requires that at least 10% of affordable homes are for sale through low cost home ownership schemes.
- ◆ **Housing Green Paper** – a new deal for social housing 2018 – Proposed the need for more investment in existing stock and to increase the supply of affordable housing. Proposals are also included for improved handling of tenant complaints and management performance indicators. The green paper also proposes measures to tackle the stigma of residents living in the affordable housing sector.

- ◆ **Homes England Strategic Plan 2018-2023** – Our relationship with Homes England encompasses strategic growth, grant and loan finance and market engagement. We support registered provider bids for funding in Tendring to enable additional homes and we also have the capacity to apply for funding for our own development projects. The Homes England Strategic Plan commits to unlock public and private land to get more homes built where they are needed and to provide investment to support housebuilding and infrastructure. There is an emphasis on supporting smaller builders which could improve employment opportunities in the district.
- ◆ **Coronavirus Act 2020** – Brought in a number of measures to mitigate the impact of Covid-19 pandemic on the economy, housing, homelessness and the welfare system. Measures included suspending evictions and repossessions but it is likely the demand for housing will increase once the country recovers and housing can play a vital role in the district's and country's long-term recovery.

There have also been a number of welfare reforms in recent years that have impacted on the housing market and the lives of residents in the district. They are:

- ◆ Universal credit which was rolled out in the district in the Summer of 2018
- ◆ The benefit cap which capped the maximum amount of benefit a family or individual could receive.
- ◆ The introduction of Council Tax support

which removed 100% Council Tax benefit for eligible households

- ◆ The bedroom tax or spare room subsidy which reduces housing costs for working age adults who have more rooms than required
- ◆ Freezing of local housing allowance rates in the private sector

### The local strategic setting

There are a number of local strategic documents which have been developed which will impact on this strategy. These include

#### Corporate Plan 2020-2024

The Council adopted a new Corporate Plan 2020-2024 in January 2020. The vision puts community leadership at the heart of everything we do through the delivery of high quality, affordable services and working positively with others and Tendring4Growth, a whole-council ethos to promote and support economic growth in the district.

The Corporate Plan sets out ambitions in five key areas:

- ◆ Delivering high quality services
- ◆ Community leadership through partnerships
- ◆ Building sustainable communities for the future
- ◆ Strong finance and governance and;
- ◆ A growing and inclusive economy

As a community leader, the Council will deliver high quality, affordable services and work positively with others including partnership working on education, health, community safety and housing.





## **Tendring District Council Local Plan 2013-33 and beyond (publication draft)**

The emerging Local Plan contains two sections. Section 1 has been prepared jointly with Braintree District Council and Colchester Borough Council and contains strategic policies and proposals including (originally) three Garden Communities for North Essex. Following an examination in public of the Local Plans, the Inspector has concluded that only one of the three original Garden Communities can proceed. This is proposed for the northern part of the Tendring district on the border with Colchester and will deliver 7,500-9,000 homes over a 30-40 year period.

Section 2 of the emerging Local Plan sets out the policies specific to the Tendring district and the Council's strategic priorities for sustainable development and plans for economic growth. This section sets out the Council's policies to determine planning applications, protect places and meet the social needs of the local population. This section also sets out the Council's requirements for affordable housing over the duration of the plan and delivering homes to meet the needs of local people is a key priority for this strategy.

### **Housing Allocations Policy 2013 - (revised December 2019)**

The Housing Allocations Policy 2013 determines who can apply for housing in the district and who gets priority for housing. The policy states clearly that people applying for housing generally have to live in the district for at least 3 years before applying unless legislation determines otherwise. The policy contributes to the Council's aim to ensure that local homes are allocated to households with strong residence connections to the district.

### **Tendring Health & Well-being Strategy 2018-20**

The Tendring Health and Well-being Strategy 2018-20 sets out a partnership approach to tackling pressing health issues in the district. It seeks to build on existing good work to ensure improved health outcomes for our communities. The core strategic principles set out in the strategy are:

- ◆ Tackling health inequalities
- ◆ Collaborating with partners
- ◆ Sharing resources and platforms
- ◆ Prevention and effective intervention
- ◆ Upscaling, co-designing and co-producing initiatives
- ◆ Empowering local communities and assets

The Council recognises that good, decent affordable housing can improve health outcomes for our communities. The Council is a member of the North East Essex Health and Well-being Alliance which is a collaboration of organisations dedicated to improving the health and well-being of our local populations in Tendring and Colchester. The Alliance is committed to working together in a more joined up way in the best interests of the people that it serves. The driving force for the Alliance is to address the inequality of life expectancy between our best and most deprived wards through tackling health inequalities, promoting active travel, and empowering local communities through collaboration opportunities.

## Livewell Essex

Livewell is a campaign designed to engage communities, families and individuals with the aim of providing information about all that is on offer in Essex to improve health and wellbeing.

All Essex Local Authorities and our partners have come together to collaborate on the health and well-being agenda and work towards achieving better health outcomes for people across the district. Livewell is comprised of 6 key themes including:

- ◆ **Startwell** - Giving children the best start in life. Endeavours to help families have the best start in life.
- ◆ **Bewell** – People of all ages, shapes, sizes and abilities can benefit from being physically active. Encourages more people to undertake regular physical activity, which will in turn produce longer term health benefits.
- ◆ **Eatwell** – Healthy eating means consuming the right type and quantity of food from all food groups in order to lead a healthy life. Raising awareness across the district about healthier eating.
- ◆ **Feelwell** – A state of mental wellbeing in which every individual realises his or her potential and can cope with the normal stresses of life. Improves the access to services that address mental wellbeing.
- ◆ **Staywell** – Clinical wellbeing, a state of health. Working together with the community and professionals to ensure our residents have access to the best clinical services.
- ◆ **Agewell** - Plan now for the future, for a healthier retirement. Endeavors to encourage people to look at improving their health and wellbeing now, to be able to lead a better quality of life in the future.

## Economic Development Strategy 2013-23

The Council's Economic Development Strategy creates the conditions to stimulate economic growth in the district and deliver

changes to Tendring's economy that will benefit our businesses, residents, workforce and visitors. The strategy recognises the link between population and economic growth and outlines how housing development can stimulate economic growth. The strategy seeks to encourage new investment, new developments, new infrastructure and new communities as it is essential that new housing meets the current and future needs of the workforce. The Economic Development Strategy was updated again in 2019 and continues to reinforce the importance of housing to the economy.

## Resident Involvement Strategy 2016-19

The Council's Resident Involvement Strategy 2016-19 sets out the Council's approach to tenant involvement and the ways in which we will involve tenants in the service improvement process. It sets out our objectives in relation to tenant involvement and the actions required to meet those objectives. It ensures that the Council, as a landlord, meets all statutory regulatory requirements and how our performance will be measured.

## Housing Anti-Social Behaviour Strategy 2016-21

The Housing Anti-Social Behaviour Strategy sets out the Council's commitment to tackle anti-social behaviour because of the detrimental impact it can have on our residents, communities and visitors to the district. It sets out a partnership approach to support victims and to take action against perpetrators. The Council is signed up to the Respect ASB Charter for Housing.

## Empty Homes Strategy 2016-19

The Council's Empty Homes Strategy sets out the Council's vision to tackle empty homes in the district. In June 2015, there were 760 long-term vacant dwellings in the district and at the time the strategy was launched, Tendring had the highest number of long-term empty homes in Essex. The strategy and the action plan therein aims to bring more empty homes back into use to meet housing need, improve communities and bring in additional funding through New Homes Bonus.

## Climate Change

In August 2019 the Council declared a Climate Emergency with a commitment to making the Council's business operations carbon neutral by 2030 whilst through community leadership, encouraging residents and organisations across the district to make similar commitments. The reduction in the emission of greenhouse gases is to become embedded in the day to day thinking of the Council from the procurement of sundry day to day consumables through to large scale projects. At the time of publication the Council has reached the end of a data gathering exercise to determine it's "carbon footprint". This work will inform the development of a ten year action plan to reach net zero emissions by 2030.

Clearly housing makes a significant contribution to the emission of greenhouse gasses associated with construction and energy use. This strategy will seek to maximise the efficiency of new homes that are constructed in the District through the provision of high levels of insulation and the installation of renewal energy systems where appropriate. Forward thinking and innovative design are encouraged in order to embrace modern, efficient and sustainable methods of construction and delivery. This approach is demonstrated through the delivery by the Council of ten new homes in Jaywick Sands. They are built using modern, off site fabrication and incorporate air source heat pumps as a renewable means of providing heat to the highly efficient structures.

Existing homes present a significant challenge and are an area that must be tackled if the District is to reduce greenhouse gas emissions. The Council's own housing stock receives insulation improvements as part of planned maintenance and refurbishment projects but we must look to move onto renewable energy retrofitting where it is possible. Much of the stock will be suitable to receive solar panels and this is something that will be explored during the period this strategy covers. Such a large scale solar programme has the potential

to significantly reduce fuel poverty that may be experienced by some tenants whilst providing a means to offset the Council's unavoidable greenhouse gas emissions.

Private sector homes vary widely in design, age and construction across the district. Proactive promotion of the Government ECO programme currently takes place and this will continue in earnest to ensure that as many homes are as well insulated and heated by the most efficient means possible. This is a win win situation reducing the district's greenhouse gas emissions at the same time as proving warmer, more affordable homes for residents.

## Part 2 – District Profile

The Tendring district has an area of approximately 130 square miles with a coastline of 60 kilometres. The district is in North East Essex and borders Suffolk to the North as well as being approximately 70 miles from London. The district consists of a number of coastal and riverside towns and a largely rural heartland.

The largest urban area is Clacton-on-Sea. Tendring is also home to the international port of Harwich and the coastal towns of Frinton-on-Sea and Walton-on-the-Naze. The district contains the historic port of Brightlingsea and also Manningtree which borders Suffolk on the Stour Estuary. Our rural heartland contains many distinctive villages and hamlets of varying size.



## Our Population

The Office of National Statistics estimated that the population of Tendring in 2017 was approximately 145,853. There are more females than males living in the district. The population is primarily White British with only 2.4 % of households coming from a BAME origin. The ONS predict that the population will rise to 158,460 in 2028 and 170,406 in 2038.

26.9% of the population is over the age of 65 compared to 18.3% for the rest of Essex and 16.4 % for the rest of England. Life expectancy is 78 for men and 82 for women which is lower than the regional and national average. Life expectancy is worse in the most deprived areas of the district. Life expectancy is 14.1 years lower for men and 9.9 years lower for women in the most deprived parts of the district compared to the least deprived parts of the district. The percentage of working age adults and young people is lower than the rest of Essex and England.

## Social Indicators

Tendring has a higher than average number of households who are claiming benefits or who constitute workless households. This is not surprising given the pockets of deprivation in the district, especially in Jaywick Sands and parts of Clacton-on-Sea. The number of unemployed households in the district is estimated to be 5.3% of the population compared to 3.6% for the rest of the East of England and 4.2% nationally. The district also has concentrated areas of multi-generational worklessness. There are approximately 6,800 workless households that have a child under the age of 16 which is the highest number in Essex. 12% of children under the age of 16 are estimated to live in a workless household. Approximately 24% of children in the district live in a low income family which is the highest percentage in the county.

Tendring suffers particularly from health inequalities, especially in its most deprived communities. A high proportion of the district's

population (around 67.5% of adults) are classified as overweight or obese and the district has the highest level of physically inactive adults in the county. Mental health and wellbeing is another concern in the district. Tendring has one of the highest suicide rates in the country (it was ranked 4th out of 324 districts in England in 2015/16) and also has higher than average admissions to hospital for alcohol-related harm. Tendring has a high prevalence of mental health disorders in children, which is not surprising given the high levels of child poverty and deprivation in the district. Mental health disorders in children have an impact on educational attainment and Tendring generally ranks poorly compared to the rest of Essex in terms of educational attainment.

Earnings in Tendring are lower than the regional average with the mean earned income for someone in employment being approximately £28,000 per annum. The average household income for the district per annum is approximately £29,000. Rents in the private sector continue to increase, and the private sector is becoming increasingly unaffordable for a growing number of households.

## Housing Need & Demand

The Council has a housing register which is used to allocate Council and other registered provider accommodation. The housing register also gives an indication of the need for housing in the district. In November 2012, the Council adopted a new Housing Allocations Policy which introduced a residency requirement for households seeking to join the housing register. It is generally now a requirement that a person resides in the district for at least 3 years before applying for housing and that they have an assessed housing need. There are some exceptions to this rule prescribed by statute.

As at 1st May 2020, there were 1958 households on the housing register. The table below shows the bedroom need as at 1st May 2020 and the numbers for previous years:

Bedroom need	1/5/2017	1/5/2018	1/5/2019	1/5/2020
1 bedroom	311	453	651	957
2 bedroom	140	224	368	526
3 bedroom	102	158	245	326
4 bedroom	45	64	94	117
5 bedroom	10	16	22	32
<b>Total</b>	<b>608</b>	<b>915</b>	<b>1380</b>	<b>1958</b>

The table above clearly demonstrates that the demand for affordable housing has been rising each year .

The demand for housing is clearly weighted towards 1 bedroom accommodation. However, of the 957 households registered for 1 bedroom accommodation, 507 (53%) are households over the age of 60. This demonstrates that there is a need to address the housing needs of our older population especially as the trend will be for people to live longer and that one bedroom accommodation should be accessible and designed to meet long-term disabilities.

509 households (26%) on the housing register have a physical or mental health condition made worse by their housing. Furthermore, the number of employed households on the housing register has increased year on year from when the Housing Allocations Policy was adopted and 14% (274 households) have an adult member in employment. This is an indication of the difficulties in accessing home ownership in the district as households who would like to buy a home now see affordable rented housing as their only option.

Households applying for housing can express choice about where they want to live and this gives an indication of where the greatest demand for housing is in the district. **Whilst households can express multiple areas, the preferred area for households applying for housing is as follows as at 1st May 2020:**

<b>Clacton-on-Sea</b>	940 households	48%
<b>Harwich/Dovercourt</b>	293 households	15%
<b>Rural Villages</b>	274 households	14%
<b>Frinton/Walton/Kirby's</b>	235 households	12%
<b>Manningtree/Mistley/Lawford</b>	137 households	7%
<b>Brightlingsea</b>	79 households	4%

This demonstrates that the greater Clacton area (Clacton Town, Jaywick Sands, Great Clacton and Holland-on-Sea) is the area of highest demand and where the Council needs to seek a maximisation of affordable housing.

## Homelessness

The Council has adopted a new Homelessness Reduction and Rough Sleeping Strategy 2020-2024. The strategy can be viewed at [www.tendringdc.gov.uk/housing/strategies-and-policies](http://www.tendringdc.gov.uk/housing/strategies-and-policies)

The Homelessness Reduction and Rough Sleeping Strategy 2020-2024 sets out the Council's strategic priorities and delivery plan for reducing homelessness and rough sleeping over the next four years. Detail is given on the causes and demographics of homelessness in the district.

There has been a steady increase in homelessness in Tendring in recent years as various welfare reforms have taken hold and the opportunities to access the private rented market have decreased. Landlords are fearful of universal credit and the freezing of local housing allowance rates up to March 2020 meant that the private rented sector has become increasingly unaffordable in recent years.

Under the terms of the Homelessness Reduction Act 2017, the Council is required to prevent or relieve homelessness for any household in its area that is going to be homeless within 56 days. Only once these duties have been exhausted must the Council consider if a full housing duty is owed.

It is apparent that homelessness is increasing and the likelihood is that it will continue to increase in spite of the new legislation. The Council will need to be more creative in terms of addressing homelessness and become less reliant on its own stock to meet homeless household's needs.

The number of households becoming homeless as a consequence of losing a private tenancy has increased significantly. This is indicative of landlords' fears of welfare reform but also the fact it is becoming increasingly difficult for low-income or benefit dependant households to access alternative private rented accommodation. Accommodation is becoming increasingly unaffordable as local housing allowance rates were frozen until 2020

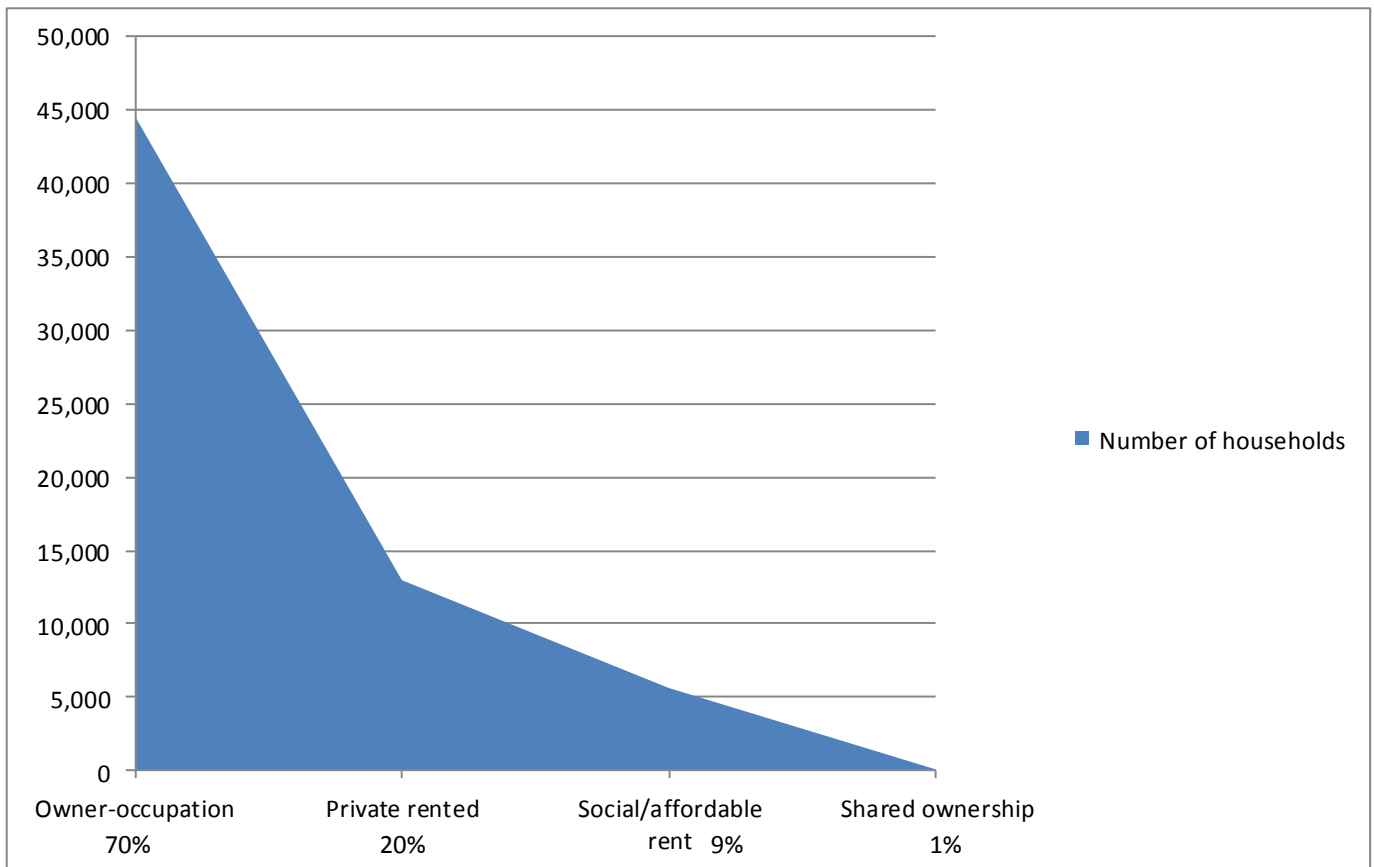
Homelessness has a particular detrimental effect on the lives of children and long-stays in temporary accommodation can severely impact a child's development, education and health and well-being. This would indicate that there is a need to maximise affordable housing opportunities for family sized accommodation.

Rough sleeping numbers remain low in the district but remain a concern nonetheless. The number of rough sleepers in the district was last estimated to be 5 individuals in November 2019. It is for this reason that the Council wants to explore new ways of working to address rough sleeping in the area.

The Council realises that it cannot end homelessness on its own and works in partnership with other agencies. In the last year, the Housing Solutions team has worked closely with the Peabody floating support service to meet the housing needs of vulnerable residents in the district. The Council sits on the local Community Forum which meets to address the needs of the most vulnerable households in Clacton. The Council also sits on the Essex Homelessness Officers Group and has worked in partnership with the group in recent years to establish county-wide protocols for intentionally homeless families, homeless 16-17 year olds and offenders being released from prison.

## Part 3 - Our Housing

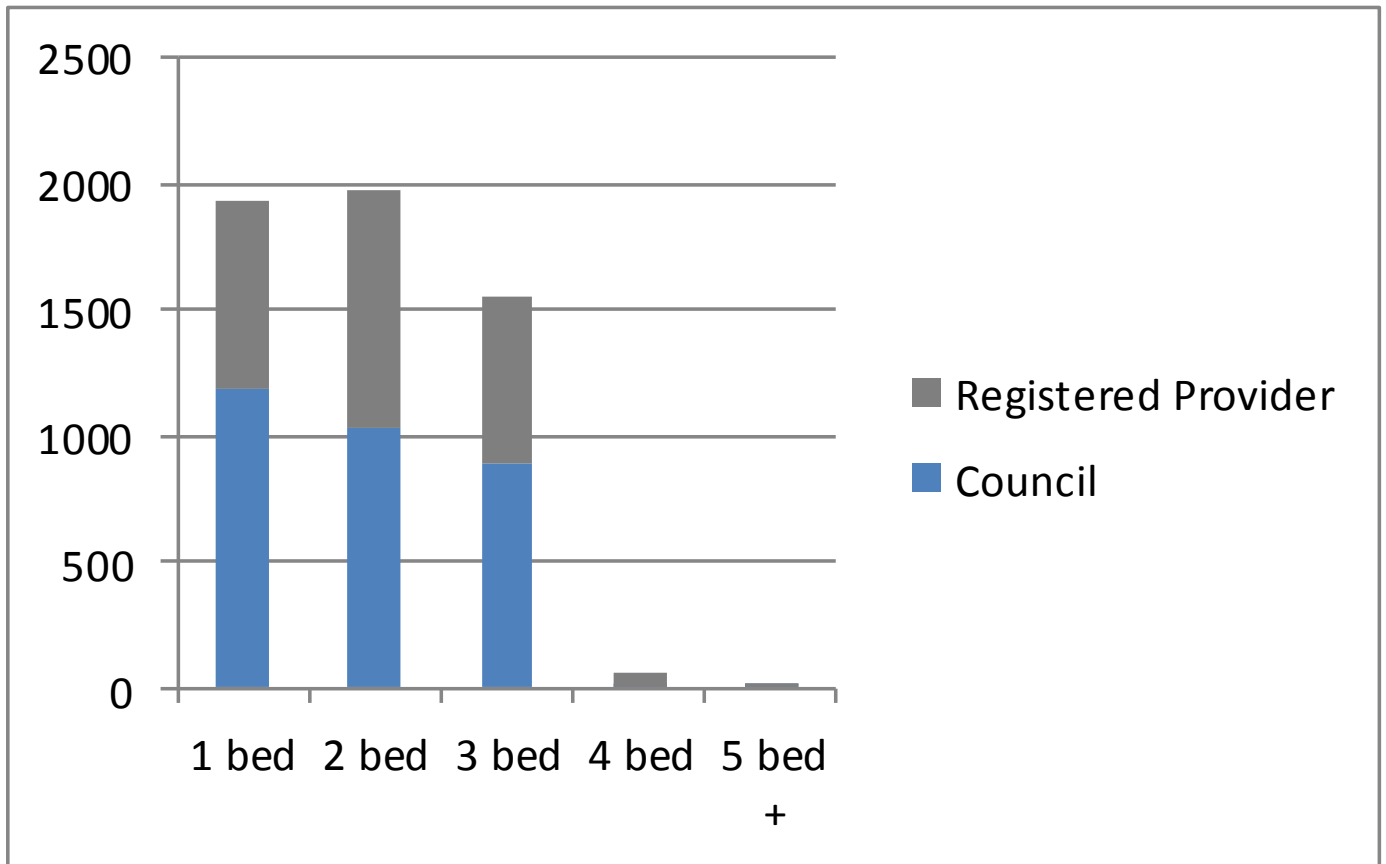
The housing market in Tendring is dominated by owner-occupied accommodation. The most recent Strategic Housing Market Assessment published in December 2015 stated that the tenure breakdown in the district was as follows:



In terms of the rental market, it is demonstrated that the private rented sector is currently the key player in terms of choice and availability. The number of social/affordable rented homes is much lower than other districts/boroughs in the Housing Market Area (Braintree, Chelmsford & Colchester). The number of shared ownership homes is very low compared to other areas and according to the Office of National Statistics in 2018, the ratio of average house price to workplace based earnings in the East of England was 9.7%. This means that owning a home locally is more difficult than ever.

The private sector in Tendring suffers from condition and repair issues. According to the Department of Business, Energy & Industrial Strategy, 10.6% of households in the district live in fuel poverty which impacts on their health and well-being. There have been affordable warmth strategies in place since 2003 to improve properties to ensure a decent, warm home is provided to live in. It is estimated that 21% of the homes in the district contain a Category 1 Hazard as defined in the Housing Health and Safety Rating System and that the cost of treating these hazards would be approximately £49m. Furthermore, treating and remedying these hazards would save the NHS approximately £2.3m per year. The Council believes that good health starts at home regardless of tenure or sector. 30% of homes in the district have an EPC rating of E or below and are therefore classed as sub-standard.

As at 31st March 2020, there were 5545 affordable rented homes in the district. 3111 are owned by the Council and 2424 are owned by other registered providers (housing associations). Of the 2424 properties are owned by other registered providers, 509 are let through the Seaside and County Homes Scheme and are homes built by the former Greater London Council for retired people living in the London Boroughs. They are therefore not available to households living locally and this reduces the potential pool of properties available.



In the affordable rented sector, there are noticeable gaps in provision that need to be addressed, notably:

- ◆ The Council only owns one 3 bedroom bungalow in the district
- ◆ The Council only owns 13 properties with 4 bedrooms or more.
- ◆ The Council only owns 20 two bedroom houses in the greater Clacton area which is the area of highest demand
- ◆ The number of shared ownership homes is very low compared to other areas.





## Affordable housing delivery

The number of affordable homes delivered in the district in the last five financial years has been exceedingly low. The number of homes delivered has been as follows:

The low delivery of affordable housing in recent years means it is crucial to maximise the number of affordable homes to be delivered over the duration of this strategy and beyond. The most recent Strategic Housing Market Assessment has calculated that the district needs 550 homes per annum, of which 30% (165 homes per annum) should be affordable homes.

Given the low numbers of affordable housing delivered in recent years, it is essential that the Council maximises the number of

Year	Number of Homes delivered
2015-16	33
2016-17	5
2017-18	38
2018-19	8
2019-20	81
Total	165

affordable homes that can be delivered through planning obligations. In recent years, the Council has agreed to accept a number of "gifted" units from developers and there are currently 162 homes in the pipeline up to 2024. Whilst gifting was a reaction to uncertainty following legislation passed in 2016, it was never a formal policy and gifting has not and will not deliver the number of homes required to meet demand. **Gifting will only be considered as an option in exceptional circumstances where a site is delivering housing of a specialist nature or to meet specific local needs.**

In order to help address the low number of affordable homes being delivered, the Council intends to produce An Acquisitions and Development Policy to deliver council housing in the district. The programme will be funded through prudential borrowing, developer contributions towards affordable housing and recycled right-to-buy-receipts. 10 custom built homes are under construction in Jaywick Sands (5 for rent and 5 homes for discounted sale) and the Council aspires to deliver a further 200 homes in the district over the next 5 years (a further 100 in Jaywick Sands and 100 in other parts of the district). An Acquisitions and Development Policy will set out where the homes need to be delivered to meet demand, the types of homes that need to be delivered and how the delivery of the homes will be funded.

The Council will also consider "buying back" homes sold under the right to buy where properties become available on the open market. In deciding whether to buy back a property, the Council will have regard to the type of property, its location and whether the purchase offers value for money and can meet demand in the district.

Right to buy has particularly affected our villages and smaller towns and out of the 33 towns and villages in the district, 15 have less than 25 affordable homes. The Council will therefore support the delivery of rural exceptions sites and community land trusts to meet the needs of local people in our villages. The Council received £700k in 2017 to facilitate the creation of community land trusts in the district and 3 have been established or are in the process of being established. This funding is still available and the council is keen to facilitate and support new community land trusts in the district.

In the last two years, two new independent living schemes have been delivered in the district in partnership between Essex County Council and Season Living. During the same period, the Council has decommissioned 2 of its lower demand sheltered housing schemes in the district. As our population will live longer, the Council will work in partnership with other bodies determine what type of housing our older residents aspire to live in and deliver accommodation to meet the needs of our older population.

Whilst the Council, as a community leader, is taking a lead in developing new homes in Jaywick Sands and intends to deliver council housing other parts of the district, the Council will work with other partners and providers to deliver the number of homes required over the course of this strategy. The Council will work in partnership with other registered providers, developers, land owners, community land, housing and charitable trusts, commissioners and specialist providers to deliver the homes the district requires. The Council will encourage self-build and custom-built housing and will decide and explore if it is feasible to set up its own housing company to deliver its own homes as an alternative delivery option.

### **The Council as a landlord**

Tendring District Council owns 3111 homes and is proud of its record as a housing provider and enabler. The Council enjoys consistent satisfaction rates from its tenants and is proud of its reputation locally and nationally as a landlord. In our most recent tenant satisfaction survey in 2018:

- ◆ 90% of tenants were satisfied with the Council as a landlord
- ◆ 89% of tenants felt the rent they paid represented value for money
- ◆ 87% of tenants were satisfied with the quality of their home
- ◆ 85% were satisfied with their neighbourhood
- ◆ 82% were satisfied with the repairs and maintenance service

The annual rent roll for the council is approximately £14m per annum. At the end of 2019/20, rent arrears stood at 1.6% of the total rent roll for that year but it is anticipated that the percentage of rent arrears will increase as universal credit full service rolled out across the district in the Summer of 2018 and the district recovers from the Covid-19 pandemic. 550 tenants are currently in receipt of Universal Credit but this is anticipated to increase to approximately 2,000. The Council re-lets approximately 10% of its stock each year.

The Council has representation on the board of the Association of Retained Council Housing and has been assessed as "housing business ready" by the Housing & Finance Institute.

### **Our finances:**

Following the passing of the Localism Act 2011, the Council as a housing provider became self-financing in return for taking on a debt of £35.97m in 2012 in the housing revenue account which it is required to repay over the next 30 years. Although this debt exists, the Council welcomed the flexibility the legislation gave and is confident that the debt can be repaid from its rental income. The Council has a robust 30 year business plan in place.



Significantly, a requirement to reduce rents by 1% per annum for 5 years from 2016/17, introduced by the Welfare Reform & Work Act 2016, negatively affected the Council's housing finances and had an impact on the Council's capacity to support new development and acquisitions initiatives. The Council estimated that £1m would be available per annum in 2015/16 for new build development or acquisitions but this had to be reviewed in light of government policy. The last year of the rent reduction requirement was 2019/20 and, the Council will increase rents by the CPI +1%. This will therefore increase the Council's rent roll, albeit the Council is conscious that the roll out of universal credit and the Covid-19 pandemic could lead to an increase in arrears and has accounted for bad debt to increase. It was predicted that at the end of 2019/20, there would be reserves of £4.36m in the housing revenue account and this will leave the Council in a positive financial position. The debt cap on the Council's ability to borrow for new build was removed in the Summer of 2018 giving the Council greater flexibility to prudentially borrow. As rents increase from 2020/21, the Council anticipates that it can commit more funds for development and acquisitions in future years.

As a landlord, the Council will maintain and improve its stock through its capital programme (Housing Investment Programme). The Housing Investment Programme for 2020/21 is approximately £3.m and includes not only works on individual properties but also estate and environmental improvements and disabled adaptations. The Council anticipates that the amount available for capital improvements will remain stable as more funds become available for development and acquisition initiatives.

The Council receives government funding for its homelessness service and following the introduction of the Homelessness Reduction Act 2017, the amount of funding given to the Council significantly increased. Between 2017/18 and 2019/20, the Council will have received £1.008m in Flexible Homelessness Support Grant as well as £272,655 new burdens funding specifically related to the Homelessness

Reduction Act 2017 and its implementation. The Council has received £666,819 for 2020/21. The Council has increased the staff resources in the Housing Solutions team with 5 new posts created and has provided grant funding to the local Women's Refuge (Next Chapter) as well as the local Mother and Baby project. However, an increase in emergency temporary accommodation placements has put finances under pressure.

The Council received an allocation of just over £2 million in 2020-21 to provide disabled facilities grants in the private sector. This was the highest allocation in Essex and is reflective of our ageing population and number of disabled residents in the district. The Council also makes available discretionary loans for home owners to improve their homes that are in poor condition and the budget for 2018-19 was £365,640. The Council will encourage households who are eligible to apply for grants and loans where necessary to improve the health and well-being of our communities and to support residents to remain in their homes.

Whilst the outlook is financially positive in terms of the Housing Revenue Account and the funds the Council has received from central government to deliver homelessness and adaptations services, the Council is still awaiting the results of the Government's consultation on its Housing Green Paper "A New Deal for Social Housing" and separate consultations, "Use of Right to Buy Sales" and First Homes. These consultation findings could impact on the delivery of new affordable homes in the district as risks could be posed to the Council's ability to borrow to fund new homes and there may be a reduction in the number of affordable rented homes delivered through the planning system. The Council still faces financial constraints now and will do so in the future as we recover from the Covid-19 pandemic. The Council will, where appropriate, lobby Government and other agencies to remove barriers or support enabling actions to assist in the delivery of this strategy.

# Part 4 – Our Strategic Housing Priorities

## 1. Delivering homes to meet the needs of local people

Our priorities are as follows:

**The Council will encourage and enable new housing schemes in the district from large scale developments such as the proposed Garden Communities settlement on the border with neighbouring Colchester to providing smaller numbers in our towns and villages such as rural exception sites.**

**The Council will implement our emerging Local Plan to ensure we maintain a deliverable 5 year housing land supply and a balance between housing and economic growth.**

**The Council will produce an Acquisitions and Development Policy using prudential borrowing in the housing revenue account, developer contributions towards affordable housing and right to buy receipts**

**The Council will work with our local communities, other local authorities, the local enterprise partnership, clinical commissioning groups and neighbourhood planning groups to deliver the type and quality of housing the district needs which meets the aspirations of our residents and promotes economic growth in the district.**

### What we will do

- ◆ Strive to implement our Local Plan.
- ◆ Seek 30% affordable housing on all eligible sites as set out in the emerging Local Plan unless there are prudent reasons not to do so.
- ◆ Support our registered provider partners in bids for funding to provide affordable housing in the district.
- ◆ Review our nomination agreements with registered providers in the district to maximise affordable housing to tackle demand.
- ◆ Work in partnership with developers, land

owners and registered providers to deliver quality affordable homes and cohesive vibrant communities.

- ◆ Encourage and support low cost home ownership initiatives in the district in line with national planning policy.
- ◆ Encourage and support the provision of self-build and custom build housing
- ◆ Produce an Acquisitions and Development Policy to deliver council housing in the district and maximise the opportunities on council owned land and on private developments.
- ◆ Support and facilitate the creation of community land trusts to deliver affordable housing in the district.
- ◆ Work with the Rural Community Council of Essex to support the delivery of rural exception sites in our villages.
- ◆ Work in partnership with commissioners, specialist providers and other statutory bodies to deliver affordable housing provision suitable for our older people and those who are less able.
- ◆ Decide and explore if it is feasible to set up a housing company to deliver affordable housing in the district.
- ◆ Work with partners including Essex County Council, Homes England and the Clacton Town Centre Ambassadors Group to address the particularly acute housing and social issues in Clacton by seeking to deliver high quality new housing as part of the Future High Streets Fund, the regeneration plans for Jaywick Sands and the Hartley Gardens urban extension for the north of the town.

## 2. Reducing and preventing homelessness and rough sleeping

Our priorities are as follows:

**The Council will reduce dependence on nightly paid accommodation and work with landlords to develop a temporary accommodation portfolio and better understand the private rental market.**

**The Council will ensure it is complying with the provisions of the Homelessness Reduction Act 2017 to support residents and meet the needs of the most vulnerable.**

**The Council will develop new services to address the needs of rough sleepers and those at risk of sleeping rough and will provide emergency accommodation during severe weather.**

**The Council will review its Housing Allocations Policy to ensure it is fit for purpose in the light of the Homelessness Reduction Act 2017 and that it continues to provide local homes for local residents.**

### What we will do:

- ◆ Recruit a Housing Early Intervention Officer to work with families facing homelessness.
- ◆ Work in partnership with registered providers to deliver supported temporary accommodation in the district.
- ◆ Explore the feasibility of setting up a council leasing scheme to increase the supply of accommodation.
- ◆ Reduce reliance on nightly-paid hotel accommodation and seek to eliminate its use by the end of the forthcoming homelessness prevention and rough sleeping strategy.
- ◆ Review the impact of the Homelessness Reduction Act 2017 on current service provision and update policies and procedures accordingly.
- ◆ Create tailored information for specific clients most at risk of homelessness and rough sleeping such as care leavers and veterans and develop specialist in-house knowledge to assist the most vulnerable members in our communities.
- ◆ Deliver new services to address the needs of rough sleepers and those at risk of sleeping rough.
- ◆ Support residents threatened with homelessness as a consequence of welfare changes.
- ◆ Work with the health and social care sector to improve discharge arrangements for those leaving hospital or care.

### 3. Making the best use of and improving existing housing

Our priorities will be as follows:

**The Council will ensure that private rented properties meet required standards in terms of management, repair and energy efficiency and use enforcement powers where necessary.**

**The Council will review its incentive schemes and deliver new development opportunities to encourage tenants in council accommodation to move to smaller accommodation that is the right size for their needs.**

**The Council will ensure that existing houses in multiple occupation meet necessary standards and will implement recent changes to licensing regulations.**

**The Council will continue to reduce the number of long term empty properties as set out in the Empty Homes Strategy.**

**The Council will deliver a housing investment programme to ensure that our tenants continue to live in decent, affordable homes.**

**The Council will ensure that funding for home adaptations and improvements is spent in the most effective way.**

#### **What we will do:**

- ◆ Work with planning colleagues and other statutory partners to tackle unlawful houses in multiple-occupation.
- ◆ Review our civil penalties policy and HMO licensing policy to ensure they remain fit for purpose.
- ◆ Work co-operatively with private landlords and agents to improve conditions in the private sector.
- ◆ Publicise and encourage affordable warmth and energy efficiency programmes in the district.
- ◆ Deliver a new incentive scheme to assist tenants wanting to move to the right size accommodation
- ◆ Deliver an annual housing investment

programme over the course of this strategy.

- ◆ Reduce the number of empty homes in the district.
- ◆ Publish a revised Financial Assistance Policy for Private Sector Housing during 2020.

### 4. Supporting people in their homes and communities

Our priorities will be as follows:

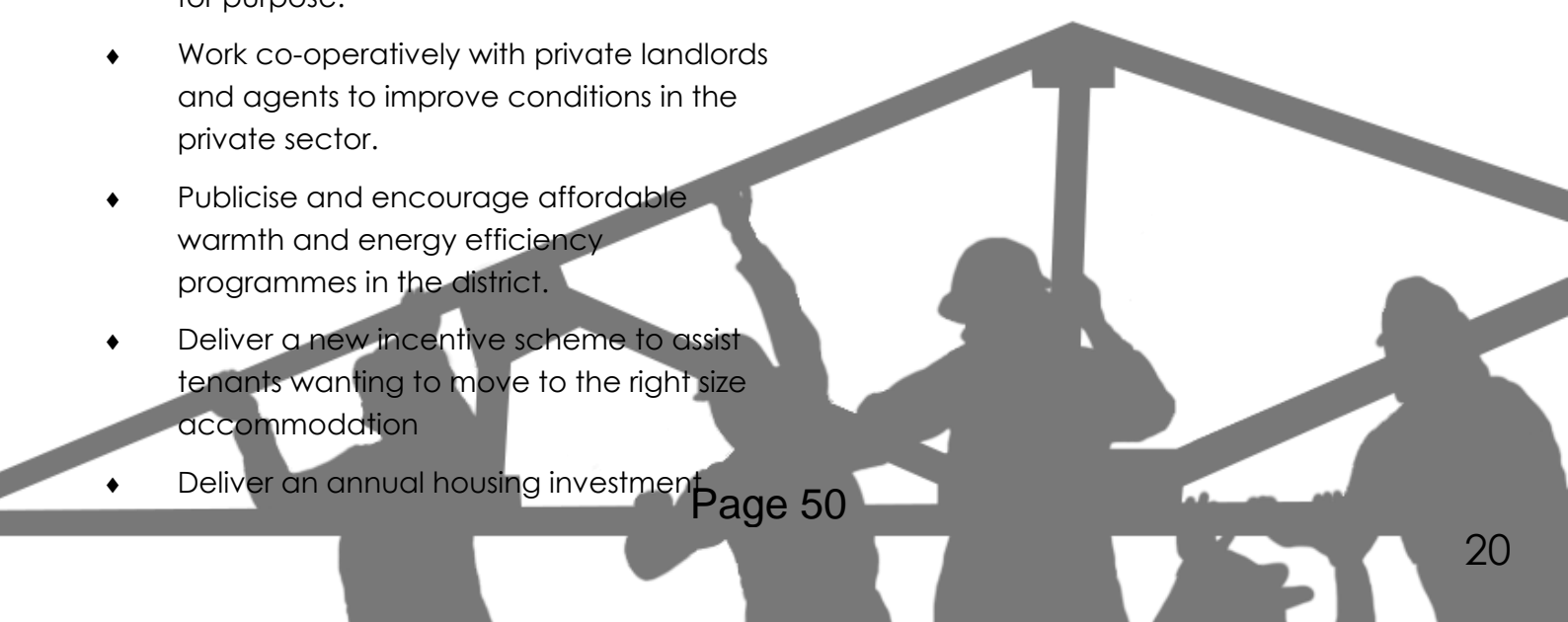
**The Council will ensure access to disabled facilities grants and other discretionary improvement loans is maximised to improve the health and well-being of our residents.**

**The Council will encourage the provision of accessible properties for older people and those with disabilities.**

**The Council will review the provision of older persons housing in the district to plan for an ageing population.**

**The Council will continue to support tenants and residents who have been affected by welfare reforms such as the benefit cap and bedroom tax and who have been affected by the roll out of universal credit in the district.**

**The Council will consult with its tenants on the future delivery of its housing service.**



### What we will do:

- ◆ Encourage a maximum take-up of Disabled Facilities Grants and discretionary loans to support our older and disabled residents to remain in their homes.
- ◆ Seek accessible properties as a priority on planning applications where affordable housing is required.
- ◆ Undertake a project in partnership with other providers and commissioners to determine the housing aspirations and needs of our older population to facilitate future housing provision.
- ◆ Create a new Rent and Financial Inclusion Strategy to help those affected by welfare reform.
- ◆ Implement any necessary recommendations following the consultation exercise on the Housing Green Paper "A New Deal for Social Housing" in consultation with our Tenants Panel.

## Part 5 – Monitoring the Housing Strategy

Some of the actions in this strategy are short-term and can be realised quickly. Others will take a number of years to bear fruition. There can be legislative or policy change at a national or local level that could render some of the actions in the strategy redundant or unachievable. It is therefore important that the strategy responds to changing needs and new actions are agreed as necessary.

This strategy is accompanied by a delivery plan in Appendix 1 of this document which sets out when the actions will be completed and achieved. The strategy and delivery plan will be reviewed and monitored regularly and a report will be produced and published annually to update the community and other interested parties on how the strategy is progressing.

### APPENDIX 1 HOUSING STRATEGY 2020-2025 DELIVERY PLAN

Note; This Delivery Plan has been devised at a time when the country is contending with the Covid-19 pandemic. As a consequence some target dates may slip and will be amended accordingly.

#### STRATEGIC PRIORITY 1:

#### DELIVERING HOMES TO MEET THE NEEDS OF LOCAL PEOPLE

Action	Outcome	Risks	Timeframe	Lead Officer(s)
Deliver an Acquisitions and Development Policy	To facilitate the delivery of at least 200 new council homes over the course of this strategy	Economic climate, market forces and lack of funding could compromise delivery.	Jul-20	Assistant Director (Housing and Environment)
Carry out an audit of council lands and sites to determine suitability for future development	To assist in the delivery of new Council homes	Lack of officer time	May-21	Housing Manager

Action	Outcome	Risks	Timeframe	Lead Officer(s)
Progress the delivery of a new Garden Community on the border with Colchester	To deliver the new homes, infrastructure and jobs the district needs, including affordable housing	Economic climate and market forces	Jun-25	Corporate Director (Place and Economy)
Maximise funding opportunities and strategic growth discussions to deliver homes to meet the wider needs of the area	To bring forward larger schemes identified in the Local Plan e.g. Hartley Gardens	Economic climate, market forces and lack of funding	Jun-25	Corporate Director (Place and Economy)
Work with partners on a joint venture to deliver new housing, including affordable housing, via the Future High Street Fund	To deliver new housing and economic growth and activity in our high streets	Economic climate, market forces and lack of engagement from partners	Jun-25	Assistant Director (Strategic Planning & Place)
Support the delivery of two sites in the district to support economic growth and regeneration in our towns	To deliver regeneration in our towns and increase economic activity	Economic climate, market forces, lack of funding and lack of engagement from partners and stakeholders	May-25	Assistant Director (Housing and Environment)
Deliver a new Empty Homes Strategy	To bring long-term empty homes back into use to meet housing need	Lack of engagement from property owners. Lack of resources for enforcement (CPO)	Dec-20	Assistant Director (Housing and Environment)
Facilitate the development of at least two rural exception sites in the district	To deliver homes in villages to meet local needs	Lack of funding and engagement	May-25	Executive Projects Manager (Housing)
Deliver of Local Lettings and Sales Plan for Jaywick Sands	To ensure new homes are prioritised for Jaywick Sands residents and Key Workers	Adopting the plan poses no risks	Jul-20	Executive Projects Manager (Housing)



STRATEGIC PRIORITY 2:

REDUCING AND PREVENTING HOMELESSNESS

The Council has published a Homelessness Reduction and Rough Sleeping Strategy 2020-2024. The Delivery Plan in the strategy sets out the actions the Council will take

to reduce homelessness and rough sleeping over the length of that strategy. The strategy and delivery plan can be viewed at [www.tendingdc.gov.uk/housing/strategies-and-policies](http://www.tendingdc.gov.uk/housing/strategies-and-policies)

STRATEGIC PRIORITY 3:

MAKING THE BEST USE OF AND IMPROVING EXISTING HOUSING

Action	Outcome	Risks	Timeframe	Lead Officer(s)
Deliver an annual Housing Investment Programme	To improve council homes and estate areas to ensure they meet required standards and contribute to reducing carbon emissions	Lack of funding in the Housing Revenue Account	Annually	Development and Building Manager
Deliver a new incentive scheme to free up family sized accommodation	A new incentive scheme will increase the number of larger homes to address housing need in the district	Lack of new affordable homes being delivered to meet the needs of older tenants	Jan-21	Housing Solutions and Allocations Manager
Review nomination agreements with registered providers	To increase the number of available homes in the district to meet local needs	Lack of engagement from registered providers	Apr-21	Executive Projects Manager (Housing)
Deliver a new Tenancy and Rent Strategy for the district	To ensure new and existing affordable homes in the district meet local needs	Lack of engagement from registered providers and other stakeholders	Apr-21	Executive Projects Manager (Housing)
Deliver a Succession and Assignment Policy	To ensure the Council complies with legal requirements	Lack of policy could cause reputational damage to the Council	Dec-20	Executive Projects Manager (Housing)

Continued...

Action	Outcome	Risks	Timeframe	Lead Officer(s)
Revise and deliver a new tenancy agreement for Council tenants	To ensure the Council meets regulatory requirements	Lack of a robust tenancy agreement will undermine tenancy management and cause reputational damage	Mar-21	Customer Services Manager
In partnership with other partners and stakeholders, undertake a review of older persons housing in all sectors	To plan for the future housing needs of our ageing population	Lack of engagement from partners, stakeholders and the wider community	May-25	Executive Projects Manager (Housing)

STRATEGIC PRIORITY 4:

SUPPORTING PEOPLE IN THEIR HOMES AND COMMUNITIES

Action	Outcome	Risks	Timeframe	Lead Officer(s)
Deliver a new Anti-Social Behaviour Strategy	To deliver a strategy to support victims and take action against perpetrators	Lack of engagement from partners	Dec-21	Housing Manager
Deliver a Financial Inclusion Strategy for our tenants	To improve the financial resilience of our tenants and support them to improve their financial well-being	Lack of engagement from partners	Apr-22	Executive Projects Manager (Housing)
Deliver a new Resident Involvement Strategy	To involve our tenants in shaping our future services	Lack of engagement from tenants	Mar-21	Customer Services Manager
Deliver a Tenants Decant Policy	To ensure tenants are aware of the help that can be provided if they need to move temporarily from their home	Lack of a formal policy could cause reputational damage to the Council	Dec-20	Customer Services Manager
Deliver a Tenants Recharge Policy	To ensure the Council can recover charges from tenants where applicable	Lack of a formal policy could cause reputational damage to the Council	Dec-20	Customer Services Manager

<b>Key Decision Required:</b>	<b>Yes</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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## CABINET

26<sup>th</sup> June 2020

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING

#### **A.4 FINANCIAL ASSISTANCE POLICY FOR PRIVATE SECTOR HOUSING**

(Report prepared by Tim Clarke & Emma Blake)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To inform Cabinet about the delivery of financial assistance for Private Sector Housing and seek agreement for a revised Financial Assistance Policy.

##### **EXECUTIVE SUMMARY**

In 2015 Cabinet agreed revisions to the Financial Assistance Policy.

Whilst minor amendments have been made to the policy since, it has now undergone a thorough review to reflect current demand and to make better use of the funding that is available.

Revisions primarily seek to increase spending from the Better Care Fund and offer a broader range of assistance that can be delivered quicker and in a more targeted fashion to those in need.

##### **RECOMMENDATION(S)**

**It is recommended that Cabinet notes;**

- 1. the update on delivery of the service since 2015;**
- 2. agrees the revised Financial Assistance Policy for Private Sector Housing as appended to this report, and;**
- 3. delegates authority to the Housing Portfolio Holder to make changes to the policy if needed after it has been approved**

#### **PART 2 – IMPLICATIONS OF THE DECISION**

##### **DELIVERING PRIORITIES**

This decision and revised policy will contribute to the following priorities in the Corporate Plan 2020 - 24:

**Community Leadership through Partnerships** – by offering opportunities to improve the living environment of residents we can improve their health and wellbeing and help to maintain their dignity. The policy plays into the wider arena of helping people remain independent in their own homes for longer and reducing avoidable hospital admissions.

**A Growing and Inclusive Economy** – the policy places an emphasis on using local building firms to carry out works except where the work is of a specialist nature.

**Delivery of High Quality Services** – the service has made great improvements in

turnaround time for grant approvals and completions in recent years. The policy will enable this high quality service to be delivered to more residents whilst providing a wider range of assistance to those in need. Sustainable and carbon neutral installations will be funded where appropriate, with a balance against the need to minimise fuel poverty

## **FINANCE, OTHER RESOURCES AND RISK**

### **Finance and other resources**

The revised financial assistance policy will offer both mandatory grants and discretionary grants.

The mandatory grants are the Disabled Facilities Grants that are funded by central government through the Better Care Fund (BCF) and have conditions attached for partial repayment if certain criteria are met. £2,045,092 will be allocated to the Council through this fund in 2020/21 to provide disabled adaptations and other work in private sector dwellings to assist social care and hospital discharge. The same sum that was allocated in 2019/20.

Due to underspends in previous years there is currently £6,000,000 in the BCF budget for spending on DFGs and the other forms of Discretionary Assistance that it will be used to fund. It is very unlikely therefore that this budget will be exhausted and the lower value discretionary grants do not have repayment conditions attached.

Further discretionary schemes funded from capital receipts have been taken out of the policy for now pending a review of priorities around the use of capital receipts. These may be added in at a future date should a decision be made that such funding continues to be made available.

### **Risk**

There is a risk that not all the repayable funds will be repaid to the Council. Registering the repayable grants as formal local land charges against the property and carrying out quarterly occupancy checks limits this. The only times a repayable grant is not repaid will be in exceptional circumstances approved by a Corporate Director or the Assistant Director for Housing & Environment and following those set out in the Disabled Facilities Grant (Conditions relating to approval of payment of Grant) General Consent 2008.

## **LEGAL**

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provides local councils with a general power to offer grants, loans and other forms of assistance to support private sector housing renewal, and meet the needs of people with disabilities.

The Council currently has a comprehensive Financial Assistance Policy for Private Sector Housing providing mandatory Disabled Facilities Grants under The Housing Grants, Construction and Regeneration Act 1996, small grants and repayable loans.

Whilst originally intended for mandatory Disabled Facilities Grants, the BCF allocation can be spent on works that meet wider social care objectives, improve health and wellbeing, reduce or prevent hospital admissions and facilitate hospital discharge. This has been confirmed in the 2020/21 grant determination letter.

Essex County Council has, through the Well Homes Group (a sub-group of the Essex Health and Wellbeing Board comprised of lead officers from ECC social care, occupational therapists and local councils), provided a letter of clarification around how individual allocations under the BCF may be spent based on The Better Care Fund Plan 2019-20. In essence, it is for each council to publish a policy setting out how it will spend the funds in

order to provide DFGs and meet wider social care and housing renewal objectives. This letter is appended to the revised policy.

## **OTHER IMPLICATIONS**

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

### **Crime and Disorder**

Some residents will benefit from security improvements through replacement windows and doors. By providing less traditional access improvements such as landscaping rather than concrete ramps, homes occupied by vulnerable persons should appear less obvious and attract less crime as a consequence.

### **Equality and Diversity**

An equality impact assessment has been carried out and no equalities issues have been identified. Officers have aimed to make the policy as equitable as possible.

### **Health Inequalities**

The policy will help to tackle health inequalities through improvements to housing which is identified as having a significant contribution to health and wellbeing.

### **Climate Change**

The policy aspires to promote the use of local companies for the work that is funded, thus minimising travel and associated emissions. Reducing fuel poverty and improving the energy efficiency of homes is something that is built into the policy but with an emphasis on reducing fuel poverty where the installation of renewal heating or energy sources is financially prohibitive.

### **Consultation**

Consultation on the proposed policy has been undertaken with the following groups: Essex County Council (Strategic commissioning and Policy, Adult Services, Discharge Team and Children's Services), Essex Well Homes Group, Foundations, Local Home Improvement Agents.

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The Council has had a Financial Assistance Policy for Private Sector Housing in place since 2002. The policy was last updated in 2015 with minor amendments made since, most recently in 2019.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires Councils to have in place a private sector renewal strategy if they are to provide financial assistance.

### **What assistance has been provided since 2015?**

Approximately 350 referrals for DFGs are received each year. Using a combination of changes in process and increased staffing levels the service has reduced the timescales for those parts of the process under our control. Notably the time between receiving a completed application to approving a grant has been reduced from an average of 33 days in 2014 to 6 days in 2020. By combining our efforts to improve our process with improvements and changes by local agents and contractors we have reduced our average approval to certified completion (that is the date that the works are fully paid and the case can close) from 104 days in 2014 to 60 days in 2020.

Due to increasing costs for building works and materials the average cost of a DFG has increased by around 40% since 2015 and due to this larger works such as extensions are extremely difficult to complete within the grant maximum amount of £30,000. In 2010, approximately 10 large extension adaptations were funded per year but this has dropped to 1 or 2 over the last few years. Maximum DFGs are now generally paid for a combination of works rather than extensions as unless the family can find the necessary extra funds (normally between £5,000 and £15,000) they are unable to progress the DFG.

In 2010 when the Council last provided a full range of discretionary assistance for home improvements including grants and repayable loans £112,000 was spent on 37 cases. With the restricted and administratively complex Discretionary Renovation Loan in the current policy £61,000 was spent in 2016/17, £106,000 on 5 cases in 2017/18, £40,000 in 2018/19 on 5 cases and only £28,000 on 3 cases last year. This revised policy seeks to increase this discretionary spending in order to assist those residents needing to return home from hospital as well as prevent admissions or a premature move into a care setting.

### **Why provide assistance?**

The Council has a statutory duty to provide Disabled Facilities Grants and receives funding from central government for this purpose. Our budget allocation from the Better Care Fund for 2020/21 is £2,045,092. In the 2019/20 financial year £1,558,797 was spent funding adaptations for 176 disabled people. £752,000 was committed in approved grants where the works were not completed during the financial year and this will therefore carry over into this year's funding allocation. In that year 271 referrals were received from ECC Occupational Therapists and 150 DFGs were approved. At any time there are typically 150 live cases.

The Council has a general power to provide assistance for those who need help with repairs to their homes and this is something that councils have traditionally done to good effect and fits in with our community leadership role. Since 2015 the Council has offered a Discretionary Renovation Loan (DRL) to help owner occupiers bring their homes up to the Decent Home Standard alongside loans for first time buyers and landlords wanting to bring empty homes back in to use. There has not been any take up of the empty homes loans but the Council has approved some DRLs, totalling £28,500 in 2019/20. Interest in DRLs has been low, largely due to management of demand by the service and because the complex application and administration process means the loans are not suitable for the vulnerable groups that need access to them the most. These forms of assistance have been removed from the policy for now but may be added back in, in a revised form in future. What is really needed now is a more targeted and flexible offer that can be delivered quickly to those that need it. The changes to the policy address this issue.

Housing is a key contributor to health and wellbeing and it is well documented that poor quality housing can lead to poor health. Many of the people we provide assistance to are

either vulnerable or elderly and as a consequence spend longer in their homes and are therefore more at risk to any hazards or disrepair that may be present.

A Health Impact Assessment undertaken for the Council by the Building Research Establishment in 2015 identified that 87% of the housing hazards in our district occur in the owner occupied stock and this reflects the size of that particular tenure. The most common hazard is excess cold and the second most common is falling on stairs which is linked to cold homes.

Hazards are assessed using the Housing Health and Safety Rating System introduced by the Housing Act 2004. The categorisation of hazards is determined by a risk assessment of the effect of a defect on the health and safety of the occupant. The Council has a duty to deal with category 1 hazards and a discretionary power to deal with category 2 hazards. The overall aim of the system is to ensure that the Council can deal with risks from hazards to health and safety in dwellings by requiring them to be reduced to no worse than the average risk for a property of a certain age and type.

The costs to society and the NHS of category 1 hazards are huge. In 2015, the annual costs to the NHS associated with falls on stairs in our owner occupied stock were estimated at £632,760 and the costs to society were £1,581,900. If we mitigated those hazards the annual savings could be £588,230 and £1,470,575 respectively. The cost of mitigating the hazards entirely is £3,952,211 but if we invested £50,000 each year in mitigating the least expensive 50% of hazards, the savings to society could exceed the cost of the work in year one by around £25,000.

The example above demonstrates the wider impact that our assistance policy can have and the potential that future joint working with health services, to target occupants who are most at risk, could achieve.

Many owner occupiers may not be able to afford essential repairs to their homes and are unable to release equity in order to fund them. Loans are available on the high street but interest rates will apply and those struggling the most financially will not be able to obtain them.

### **Are there any other options?**

There are few other options for those who cannot afford repairs to their homes. Equity release or commercially available loans are options but will not be accessible to all.

### **Keeping it local**

In order to promote sustainability and support local companies, the revised policy continues to allow for assistance to be provided only where local building firms are used. There is flexibility where specialist work cannot be sourced locally or value for money cannot be demonstrated.

### **Eligibility**

The policy targets assistance mainly at those who are less financially well off. Use of means testing for some of the assistance options means that we are not restricting the assistance only to those who are in receipt of a means tested benefit and can assist those who may be working but struggling to raise the necessary funds to carry out the work.

## Managing Demand

It is likely that there will be a high demand for the assistance on offer, especially for DFGs and Stairlift Grants. This will be managed by officers in order to regulate spending and prevent workloads becoming unmanageable. If needed, and only as a last resort, a priority waiting list will be set up and if this is necessary clients will be fully informed as to the reasons why in order to avoid complaints.

It is proposed to increase capacity within the team using BCF funding to employ additional fixed term posts where necessary to ensure that the policy can be delivered.

## Key Changes to the Policy

As it was last comprehensively updated in 2015 it has been necessary to refresh the policy throughout. The key changes made are summarised as follows:

- The introduction and background have been refreshed and updated.
- Assistance such as the empty homes loans that were previously unpopular or no longer justifiable has been removed
- The following types of assistance will remain in the policy, unchanged:
  - Mandatory Disabled Facilities Grant (*statutory maximum £30,000*)
- The following types of assistance will be added, or amended:
  - Discretionary Disabled Facilities Assistance (*maximum £30,000*)
  - Discretionary Stairlift Grant (*maximum £10,000*)
  - Discretionary DFG Top-up Assistance (*maximum £15,000*)
  - Discretionary Home Safe from Hospital Grant (*maximum £1,000\**)
  - Discretionary Home Safety Grant (*maximum £1,000\**)
  - Discretionary Emergency Repairs Grant (*maximum £6,000\* in any 3 yr period*)

*\*non-repayable*

All grants will be funded from the BCF but assistance funded from capital receipts or other government funding streams can be added as and when a decision is made that those funds be made available.

All repayable grants remain interest free and repayable on sale or transfer of the property, subject to conditions specific to each type of assistance. Discretionary grant maximums can be increased for individual cases at the discretion of the Assistant Director for Housing & Environment in consultation with the Housing Portfolio Holder.

Some of the grants are non-repayable, reflecting their lower value and use in more urgent or crisis situations when speed of delivery is of the essence.



- Information relating to the application process and terms and conditions has been revised.

### **CURRENT POSITION**

The current position is that the Council is only offering Mandatory Disabled Facilities Grants and a Discretionary Emergency Repairs grant. The Discretionary Renovation Loan has been put on hold due to issues with legal registration and the complexity of the paperwork for those making applications. Those requiring urgent assistance have been offered the Emergency Repair Grant.

#### **Other considerations**

None

### **BACKGROUND PAPERS FOR THE DECISION**

The Better Care Fund Plan 2019-2020 [www.gov.uk/government/publications/better-care-fund-how-it-will-work-in-2019-to-2020](http://www.gov.uk/government/publications/better-care-fund-how-it-will-work-in-2019-to-2020)

The most recent government appointed review of the Disabled Facilities Grant <https://www.gov.uk/government/publications/disabled-facilities-grant-and-other-adaptations-external-review>

### **APPENDICES**

**Appendix A – Financial Assistance Policy for Private Sector Housing 2020**

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***Tendring***  
***District Council***



**Financial Assistance Policy**  
**for**  
**Private Sector Housing**

**May 2020 (Revised and Updated)**

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## **Tendring District Council**

### **Financial Assistance Policy for Private Sector Housing**

#### **INTRODUCTION**

Poor and unsafe housing increases the risk of ill-health and injury and having decent housing that is suitable for the use of the occupants contributes positively towards improved health and wellbeing.

By providing advice and financial assistance alongside our enforcement options the Council can contribute to improving housing conditions for residents of Tendring thereby reducing the cost to the NHS and society as a whole.

Tendring has a mostly elderly population with a higher percentage of residents on a low income compared to the UK average; it also includes the most deprived area in the country, Jaywick Sands. The Council is committed to working with home owners, landlords and tenants to tackle the worst housing conditions using all of our available powers as well as providing residents with funding for adaptations and other works to enable them to live independently and safely at home.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 came into force on 18 July 2002. It repealed much of the prescriptive legislation governing the provision of previous housing assistance, replacing it with wide ranging powers to provide assistance for housing renewal, based on local needs and achievement of strategic objectives.

The Council first introduced a financial assistance policy in 2002 that has since been revised and replaced in 2009 & 2015. It is aimed at addressing local need and details what assistance is offered including, how the policy will be administered and funded.

Since 2015 the Disabled Facilities Grant (DFG) budget determined by central government has been a part of the wider Better Care Fund (BCF) and administered to Tendring District Council through Essex County Council. The Better Care Fund is a pooled budget bringing together Health, Social Care and Local Government. Although the mandatory requirement to provide the Disabled Facilities Grant still exists the funding can now also be used for other capital projects to support Social Care and Health (see Appendix F – Grant conditions no.5 ).

#### **Policy Objectives**

This policy is intended to:

- Help those living with a disability to adapt their home in order to maintain their independence using mandatory and discretionary schemes.
- Provide discretionary financial assistance to those who do not have the income or savings to maintain their homes to prevent further disrepair and safeguard their health and wellbeing
- Assist with hospital discharge and reduce avoidable admissions using discretionary schemes.
- Provide localised ward specific schemes targeted to combat inequalities in privately owned homes where the average percentage of properties with hazards or deficiencies is higher than the English Housing Survey or any locally commissioned survey.

## Policy Implementation

This revised policy will be implemented immediately and will be reviewed every three years. Amendments should only be necessary in the case of a significant change to policy items or for addition of further types of assistance. The Assistant Director for Housing and Environment in consultation with the Housing Portfolio Holder will make changes to the document without the need for formal ratification, where such changes make no significant change to service provision. Where amendments produce significant change to service provision those amendments will require the approval of Cabinet before the operational policy is changed.

There may be external factors that require major review earlier than anticipated, e.g.

- Changes to Capital Spending Plans
- Acute changes to local financial circumstances
- National policy/legislative changes
- Local strategic influences

## Policy Background

This policy has been designed in accordance with the legislation below and informed by:-

- The Better Care Fund Plan 2019-2020  
[www.gov.uk/government/publications/better-care-fund-how-it-will-work-in-2019-to-2020](http://www.gov.uk/government/publications/better-care-fund-how-it-will-work-in-2019-to-2020)
- Essex Well Homes Group DFG Guidance 2019 (see appendix E)
- the most recent government appointed review of the Disabled Facilities Grant  
<https://www.gov.uk/government/publications/disabled-facilities-grant-and-other-adaptations-external-review>
- The Disabled Facilities Capital Grant Determination (2020-21) [31/5037] (appendix F).

This policy is formulated in light of the Council's Corporate Plan for 2020-2024 "*Community Leadership – Tending4 Growth* ", which is a statement of the Council's vision, service priorities and values.

### **The Vision of the Council is:**

**"To put community leadership at the heart of everything we do through delivery of high quality, affordable services and working positively with others."**

The Priorities for the Council that this policy relates and contributes to are:

#### Community Leadership through Partnerships

- Health and wellbeing – for effective services and improved public health
- Joined up public services for the benefit of our residents and businesses
- Law and Order – for a safer community
- Influence and lobby – for Tending's future

## A Growing and Inclusive Economy

- Support existing businesses
- Develop and attract new businesses

## Strong Finances and Governance

- Balanced annual budget
- 10 year financial plan

The Council's Housing Strategy 2020 – 2024 sets out ambitions around housing growth and delivery and this financial assistance policy firmly underpins two of the four key priorities of that strategy;

- Making the best use of and improving existing housing
- Supporting people in their homes and communities

The forms of financial assistance provided through this Policy, both discretionary and mandatory, will improve the quality and suitability of residents' housing, prevent hospital and care home admissions, support timely discharge from hospital removing strain on the NHS, as well as contribute towards tackling fuel poverty and other housing related hazards in the district.

As well as working with our Health, Social Care and voluntary organisation partners to support other services in Tendring we are following guidance to widen the scope of the Disabled Facilities Grant and BCF, exploring new assistive technology and other types of capital works that provide assistance to disabled residents and their carers.

To facilitate this it has been agreed with Essex County Council (appendix E) that we shall fund a temporary part time Senior Occupational Therapist employed by Essex to work in Housing. This post will be funded from the Tendring BCF budget allocation.

It is the intention that our own services within Housing can become more joined up with each other and with Essex County Council and the North East Essex Health and Wellbeing Alliance – for instance we hope to reduce the time for assessments of void properties for prospective disabled tenants saving not only time for residents but also savings to the Housing Revenue Account void and housing repairs budgets.

We also plan to use the Occupational Therapist's expertise and links with other health services to design area or hazard specific assistance schemes. For instance to design and implement a targeted scheme giving funding for work towards falls prevention in areas with far higher than the England average % of falls hazards found during the stock condition survey.

Schemes such as these utilising BCF funding will not need full Cabinet approval and will therefore be added as minor amendments by the Assistant Director of Housing and Environment in consultation with the Housing Portfolio Holder.

The BCF plan and guidance also promotes the use of Approved Trusted Assessors within the Private Sector Housing Team and the number employed by the Council is now reported yearly to central government. The Council will expand the number of Trusted Assessors we have to Level 4 which will enable them to undertake simple assessments without consulting with ECC Social Care for items such as stairlifts. The



ordering of simple equipment through the ECC online system such as toilet frames by Trusted Assessors at Level 3 will continue.

## **The Legal Framework**

Apart from mandatory Disabled Facilities Grants, which are still administered under the Housing Grants, Construction and Regeneration Act 1996, all other forms of assistance that are to be funded by the Council using our own Capital funding, Better Care Fund allocation or any other external funding under this policy are done so under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO).

This legislation provides local councils with a general power to offer grants, loans and other forms of assistance to support various priorities which may include private sector housing renewal, minor works and adaptation.

All councils must have in place a policy for their area if they are to provide assistance under the RRO. The policy must set out the local priorities, the nature of the assistance that is to be provided, and who is eligible to receive it.

This policy will be used in conjunction with our enforcement powers to ensure that the best outcome is achieved for the resident while protecting public health. In some instances financial assistance will not be suitable or possible and therefore other enforcement options will have to be considered. If the Council has a duty to take enforcement action this does not prevent the use of financial assistance at the same time in all cases and each case will be assessed on its individual merits.

This policy document updates and supersedes the Financial Assistance Policy for Private Sector Housing dated March 2015 that was revised and updated in 2019.

## **Resourcing the Financial Assistance Policy**

The financial landscape of local government is continually evolving due to significant reductions in central government revenue and capital support grant funding. It is important that this policy and the assistance it offers remains self-sustaining as far as possible while providing opportunities for local businesses and support for other public health partners.

Whilst other funding streams have all but disappeared the Disabled Facilities Grant allocation has risen steadily from £227,000 in 2003 to £1.895M in 2019 & 2020 (appendix F) and has therefore been the key focus of the service as the only mandatory grant remaining.

Disabled Facilities Grants and discretionary schemes which are designed to support joint Essex Well Homes Group priorities such as alternative adaptations, preventing untimely discharge from hospital and works to prevent hospital admission or social care interventions will be solely funded from the Council's allocation received from the Better Care Fund. This includes:

- Disabled Facilities Grants
- Discretionary Disabled Facilities Assistance
- Discretionary Stairlift Grant
- Discretionary Disabled Facilities Grant Top-up Assistance
- Discretionary Home Safe from Hospital Grant

- Discretionary Home Safety Grant
- Discretionary Emergency Repairs Grant

Any repayment of BCF funded grants received shall be returned to the same budget it was used from and in this way the Council hopes to maintain a constant offer of discretionary assistance as well as mandatory DFGs and support to other local services and the NHS.

Other discretionary schemes paid for from the BCF or the Council's Capital Receipts may be added to this policy at a later date.

Each type of financial assistance (apart from the mandatory Disabled Facilities Grant) are discretionary, reliant on sufficient funding and may be withdrawn at any time where funds are not available.

The Council will not approve any discretionary assistance or commit monies to any property when the spending allocation from the Better Care Fund allocation has been exhausted or is needed for mandatory Disabled Facilities Grants. Should the Better Care Fund allocation be unable to meet the needs for the delivery of Disabled Facilities Grants there are separate rules and procedures available including the option to provide a delayed approval.

The Council may from time to time utilise special funding from central government or other sources aimed at specific subjects to target issues of local and national concern in accordance with any special conditions, e.g. replacement of inefficient boilers. Any special terms and conditions applicable to such initiatives will be appended to the Financial Assistance Policy, as they will not significantly alter the Council's primary approach to the subject.

### **Partnership Working and Consultation**

The Council does not approach housing issues in isolation, and takes account of the wider picture and the social and environmental issues that also affect communities.

The Essex Well Homes Group consists of ECC and all the local authorities in the County and selected other stakeholders ensuring the constant review of the Disabled Facilities Grant and other BCF funded projects. Tending Officers take a lead role in this group ensuring that our residents have a voice within Essex. This group links to the North Essex Health and Wellbeing Board and ensures the inclusion of the groups work in the Essex Joint Health and Wellbeing Strategy 2018-2022.

The most notable examples of partnership working of particular relevance to this Policy are shown in the following table:-

<b>Key Partner</b>	<b>Range of Service Relevant to this Policy</b>
Foundations	➤ Foundations is appointed by the Ministry of Housing, Communities & Local Government to oversee a national network of nearly 200 home improvement agencies (HIAs) and handyperson providers across England. They were a key

	<p>stakeholder in the recent DFG review for government and a member of the Essex Well Homes Group.</p>
Home Improvement Agencies	<ul style="list-style-type: none"> <li>➤ Helping vulnerable people remain independent in their homes by the provision of a Handy Person Service, Gardening Service, Benefits Advice Service, referral to charitable and other sources of advice and financial assistance, Home from Hospital Service and through the administering of the Disabled Facilities Grants process.</li> </ul>
Essex County Council Social Care services	<ul style="list-style-type: none"> <li>➤ Delivery of adaptations of homes to meet the needs of people with disabilities through the Disabled Facilities Grant route.</li> <li>➤ Referrals in relation to clients that are already under the care of social services who may need repairs to their property or assistance with going home from hospital.</li> <li>➤ TDC referral to social services in relation to clients who may need their assistance.</li> </ul>
Hospital Discharge Teams and GP Care Advisors	<ul style="list-style-type: none"> <li>➤ Referrals for people needing assistance to return home or prevent readmission</li> <li>➤ Advice and referrals for those suffering with long-term health conditions in need of home improvements.</li> <li>➤ Referrals to GP care advisors to assist residents to access services or claim benefits.</li> </ul>
The Energy Savings Trust	<ul style="list-style-type: none"> <li>➤ Providing free impartial and tailored energy efficiency advice.</li> </ul>
Other Councils through Essex wide and Regional and Sub Regional private sector housing groups	<ul style="list-style-type: none"> <li>➤ Sharing best practice</li> <li>➤ Achieving consistency of approach</li> </ul>
Charitable Partners	<ul style="list-style-type: none"> <li>➤ Royal British Legion offer home repair loans to ex-service personnel.</li> <li>➤ Charis Trust – administer grants and loans on behalf of the large utility companies for their customers. They usually cover utility debts but can help purchase white goods and repair properties.</li> </ul>

## Housing Stock Condition

Tendring District Council recognises the vital part that private sector housing plays in meeting housing need.

Approximately 70% of households across the district are owner occupiers, with 20% living in private rented accommodation and 9% of households renting from Registered Social Landlords. Only 1% of people live in shared ownership properties.

Section 3 of the Housing Act 2004 requires the Local Authority to keep the housing conditions in its area under review with a view to identifying any action that may need to be taken by them under any provisions of the Act.

A survey was commissioned by Tendring District Council in 2015 to comply with this legal requirement - this was the BRE Dwelling Level Housing Stock Models - Tendring. A new survey specifically targeted in parts of Jaywick Sands has just been commissioned and will inform future policies.

The 2015 survey found that the percentage of private sector dwellings in disrepair in the Tendring district was the same as the national average. There are, however, more households suffering from a low income, excess cold hazards and fuel poverty than the average in England.

Hazards are assessed using the Housing Health and Safety Rating System introduced by the Housing Act 2004. The categorisation of hazards is determined by a risk assessment of the effect of a defect on the health and safety of the occupant. The Council has a duty to deal with category 1 hazards and a discretionary power to deal with category 2 hazards. The overall aim of the system is to ensure that the Council can deal with risks from hazards to health and safety in dwellings by requiring them to be reduced to no worse than the average risk for a property of a certain age and type. (See Appendix B)

This local data is then broken down at ward level and it is there that differences are found. The data shows a difference for those living in rural areas in relation to fuel poverty and excess cold. Traditionally due to the lack of mains gas and sparse nature of properties in these areas they have always been hard to target by companies for government schemes such as the discontinued "Warm Front". Cold homes has a major effect on long-term health conditions and causes a great cost to our NHS and social care services and is linked to the other hazard specified in the report - falls. The data shows specific wards where the risk of falls caused by poor housing is higher than the national average and provides a starting point for the Council to work with our Health partners to address this inequality.

The BRE "The cost of poor housing to the NHS" briefing paper from 2010 gives the cost to NHS for hazards in the home. It then gives an approximate cost for reducing the hazard and the payback in years to the NHS for doing this. Falls mitigation works are one of the lowest costing hazards to fix producing a large saving to the NHS.

It also stated that in England 1 in 3 people over 65 and 1 in 2 people over 80 are likely to fall at home each year and are the leading cause of ambulance call outs for the over 65s. As well as the cost of the ambulance service those who fall are likely to have recurrent falls increasing the chance of fracture and the cost to the NHS for hip fractures is approximately £6m per day. Falling is also a major reason people move from their own home into care increasing social care costs. The Office of National Statistics states that the population of Tendring over the age of 65 is 26.9% and is far higher than the England average of 16.4%, therefore, the cost to the NHS and Social

Care in relation to falls and other age related hazards will be higher than in other areas of the country.

## **Climate Change**

In August 2019 the Council declared a Climate Emergency with a commitment to the Council's business activities becoming net zero carbon by 2030. A commitment was also made to act as a community leader in encouraging the Tendring district as a whole to become net zero carbon.

Whilst at the time of publication initial work is being undertaken to establish the Councils "carbon footprint" and that of the wider district it is evident that this policy can have an influence on the installation of measures that will reduce the emission of greenhouse gases from homes in the district. For example, renewable heating sources will be encouraged and funded where appropriate and take up of energy efficiency measures will be promoted and encouraged.

The focus of this policy will however be on the safety and wellbeing of residents and reducing fuel poverty and as such there will be instances where renewable heating sources or the most environmental friendly installations are not appropriate. A balanced approach will therefore be taken.

## **TYPES OF FINANCIAL ASSISTANCE**

### **Disabled Facilities Grants**

Mandatory disabled facilities grants are available to help qualifying applicants pay for the cost of adapting a home to meet the needs of a disabled person.

#### **Eligibility for a Grant**

Home owners, housing association tenants and private tenants can apply as well as landlords on behalf of a disabled tenant. Applications will only be considered where an Essex County Council Occupational Therapist has recommended the work. If a private Occupational Therapist has provided a report this will have to be referred to Essex County Council for review. The works need to provide the most effective long-term solution, taking into account the assessed need and relevant circumstances of those affected.

#### **Qualifying Works**

In considering the Occupational Therapist's recommendations, the Council must establish that the proposed works are necessary and appropriate **and** are reasonable and practicable.

The adaptations which are eligible for mandatory disabled facilities grant are detailed in the legislation, but in summary include -

- Adaptations to aid access into and around the dwelling and to the garden areas.
- Provision of appropriate bathroom facilities including removal of a bath to be replaced with a graded floor shower reducing the risk from falls in the bath,

access to suitable sleeping facilities and heating, and access to lighting and power.

- Appropriate kitchen adaptations if the disabled person is the main carer (minor kitchen adaptations if the disabled person is not the main carer).
- Adaptations to enable the disabled person to care for dependent residents.

Where a number of suitable options have been identified to meet the needs of the disabled person, the Council will only provide a grant in respect of the most cost effective option. Alternative options can be considered but the Council will only fund the value of the most cost effective option. The final works must meet the Occupational Therapist's recommendation.

A recent report found that you are 40% more likely to be burgled if your property shows you are vulnerable such as by having ramps to the front of the property. Security will now be a main factor in assessments and the use of things like landscaping instead of traditional construction measures will be considered for all applications.

In some instances, the existing home will not be suitable for adaptation and, with the disabled person's agreement, the Council may decide that it is better to help them move to more suitable accommodation. Grant funding can be offered towards the cost of moving and making minor adaptations subject to the means test and maximum grant explained below.

### **Means Test and Maximum Grant**

All applications will be subject to the standard government set means-test of the disabled person and their partner. If the disabled person is a child under the age of 18 the application will not be subject to a means test. Means testing determines how much the applicant will be required to contribute towards the cost of the qualifying works.

There is no right of appeal in relation to the means-test as it is set under legislation and Tendring District Council has no control over the calculation.

The applicant's contribution will be reduced by the amount of any previous contribution they have made towards a disabled facilities grant at that property within the 10 years preceding the application date if they are an owner or within 5 years if they are a tenant.

In the case of a landlord's application, the landlord may be required to make a contribution towards the cost of the works if they are in relation to communal access. The size of the applicant's contribution will be determined by the Council's Housing portfolio holder according to the particular circumstances and merits of the case.

The maximum disabled facilities grant payable is £30,000 **less** any assessed contribution.

### **Repayment**

Repayment conditions will generally be attached where the grant awarded is for a sum exceeding £5,000 and the applicant has a qualifying owner's interest in the premises on which the relevant works are to be carried out. A charge will be registered against the property as a local land charge.

The repayment conditions are that the Local Authority may demand the repayment of such part of the grant that exceeds £5,000, but that it may not demand in excess of £10,000 repayment. Repayment would be required if the applicant disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date. (The certified date is the date of the final grant payment)

Before requiring repayment, the Local Authority has to consider the following and be satisfied that it is reasonable in all the circumstances before they require the repayment –

The extent to which the recipient including their partner would suffer financial hardship were they to be required to repay all or any of the grant; (This will be considered by the Strategic Housing and Needs Manager in consultation with the Housing Portfolio Holder)

Whether the disposal of the premises is to enable the recipient of the grant to take up employment or to change the location of his employment;

Whether the disposal is made for the reasons connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and

Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.

### **Discretionary Disabled Facilities Assistance**

A Disabled Facilities Assistance grant can be provided on a discretionary basis to help with the cost of adapting the home of a disabled person, where the work does not fall into the eligibility criteria for a mandatory disabled facilities grant.

#### **Eligibility for Assistance**

Home owners (but not owners of mobile homes, caravans or houseboats) can apply in respect of a disabled occupant. Applications will only be considered, however, where an Essex County Council Occupational Therapist has recommended the work.

Where assistance is being sought for adaptations, it will be means-tested as per the standard means test on the applicant (and their partner if applicable) and take the form of a repayable grant. The amount paid will be registered against the property as a land charge at Tendring District Council's Land Charges department and occupation monitored by the private sector housing team.

The Discretionary Disabled Facilities Assistance will be subject to repayment by the applicant when the home is sold or transferred to another owner (or is no longer the disabled occupants main residence) if that period is within 15 years of the certified date. After this time the land charge will be removed and not require repayment.

## **Qualifying Works**

In considering the Occupational Therapist's recommendations, the Council must establish that the proposed works are reasonable and practicable and that although not mandatory there is a reasonable need for the provisions.

As with the mandatory Disabled Facilities Grant, the works must provide an effective long-term solution taking into account the relevant circumstances of those affected.

The following examples of work may be eligible for a disabled facilities assistance:

- Provision of specialist treatment facilities.
- Provision of a safe play area.
- Adaptations to help a disabled person to work from home.
- Suitable alternative options to those offered under disabled facilities grant.

## **Maximum Funding for Disabled Facilities**

The maximum funding for a Discretionary Disabled Facilities Assistance grant is £30,000 **less** any assessed contribution.

Where an applicant is also having a separate Disabled Facilities Grant at the same time only one means test will be carried out and any contribution will be paid as part of the Disabled Facilities Grant.

Where an applicant has been means tested for a Disabled Facilities Grant within the last 10 years any contribution paid will be taken into account when means testing for a Discretionary Disabled Facilities Assistance in the same way as per a Disabled Facilities Grant.

## **Discretionary Stairlift Grant**

Stairlifts provide access to essential facilities within the home as well as access into the property enabling independence for disabled adults and children with a minimum of additional work. In 2019/20 the Council funded 34 stairlift installations and associated warranty and servicing contracts via Disabled Facilities Grants at an average cost of £4,000.

Stairlifts are usually a relatively straightforward installation requiring little in the way of other home alterations (they need only minor works for installation and are fixed to the stair treads). Given their ease of procurement and installation they can be processed from initial referral to completion more quickly than other types of assistance and provide a proportionally significant enhancement to the lives of those who needs them. In view of this the Council will offer a simple non-means tested grant for all those in need, subject to continuing BCF funding levels.

Only those stairlifts costing more than £5,000 will be subject to repayment and applicants will still be eligible for a mandatory Disabled Facilities Grant should they choose not to have this form of financial assistance.



## **Eligibility for Assistance**

Any disabled occupier or parent of a disabled child assessed by an Occupational Therapist at Essex County Council or Tendring District Council officer trained to Approved Assessor Level 4 standard.

Proof of identity and a simple property ownership declaration will be required but no means testing will be necessary. Applicants will be required to make a declaration to say that they intend to live in the property or allow the disabled occupant to live in the property for the next 5 years.

## **Qualifying Works**

To qualify for assistance the property must be suitable for a stairlift and that the lift be suitable for the disabled user.

Stairlifts will be funded to facilitate access to essential rooms and facilities such as a room suitable as a bedroom or bathing facilities only. Any stairlifts wanted for accessing non-essential facilities that would not be included in a Disabled Facilities Grant will not be eligible.

Two comparable quotes will be necessary and the grant will fund a servicing and warranty contract for up to 5 years. Funding will be offered for the lowest combined quote where they are deemed suitable.

Replacement lifts will only be funded as long as the current lift is not reasonably repairable and has been serviced regularly and maintained, or, it no longer meets the need of the user through a change in health condition or originally being installed for a different user.

The funding will be provided to the grant applicant and they will own the stairlift once payment is made on their behalf. Any costs associated with future removal of the lift are down to the grant applicant and any dispute arising from ownership of the lift or in regard to the property ownership declaration will not be any responsibility of Tendring District Council.

Any lifts on communal staircases will need to be approved by the Fire Service, Building Control and block management company (or equivalent) before grant aid can be given.

Where a Disabled Facilities Grant has or is also applied for and this is deemed not "Reasonable and Practicable" then Tendring shall not fund a discretionary stairlift.

## **Amount of Assistance Provided**

The maximum Stairlift Grant that can be provided is £10,000. Any stairlift costing more than this will have to be part of a Disabled Facilities Grant application.

Where the grant amount exceeds £5,000 the full grant amount will be registered as a local land charge with Tendring District Council's Land Charges service and will be repayable on sale or transfer of the property within 5 years of the certified date. The same exemptions as for the repayment of Disabled Facilities Grants will apply.

## **Discretionary Disabled Facilities Grant Top-up Assistance**

A DFG top-up assistance grant can be provided on a discretionary basis to help with the cost of extensions above the current grant maximum of £30,000 on the home of a disabled person up to a maximum of £15,000 (Total works totalling a maximum of £45,000) in accordance with the latest Government DFG review and will be removed as a form of assistance should the DFG maximum be increased.

### **Eligibility for Assistance**

Home owners (not landlords or owner occupiers of houseboats, mobile homes and caravans) can apply in respect of a disabled occupant for a top-up grant for extensions only that go above the grant maximum. Applications will only be considered, however, where an Essex County Council Occupational Therapist has recommended the extension and all other options including assistance with moving to a more suitable property have been exhausted.

The top-up grant will be means-tested in accordance with the standard DFG means test. Where the works are for a disabled child or dependent the means test will still be a requirement and undertaken in respect of the property owners (and their partners) as the “relevant person” as well as the “applicant”.

The assistance will take the form of a repayable grant meaning that if the property is sold, transferred or no longer used by the applicant/s as their main home within set periods as set out below it will need to be repaid.

The amount paid will be registered against the property as a local land charge with Tendring District Council’s Land Charges service and occupation of the property monitored by the Private Sector Housing team.

If the property is sold or transferred (or the applicant no longer occupies the property as their main home) within 10 years of the certified date then the full amount is repayable. If the property is sold or transferred after this period and up to 20 years from the certified date (or the applicant does not occupy the property as their main home) then only the amount above £5,000 is repayable. If the property is not sold or transferred within 20 years of the certified date and the applicant remains in the property as their main home the land charge will be removed without requiring repayment.

Repayment is subject to the same exceptions as set out in the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

### **Qualifying Works**

In considering the Occupational Therapist’s recommendations, the Council must establish that the proposed works are reasonable and practicable and that although the cost will go above the Disabled Facilities Grant maximum of £30,000 there is a reasonable need for the provision of assistance as all other avenues have been exhausted.

Proof that moving is not a suitable option (even with grant assistance) will be required in every case and may include, but not be limited to, the Council receiving proof of mortgage and other debts.

## **Maximum Funding for DFG Top-up Assistance**

The maximum funding for disabled facilities grant top-up assistance is £15,000 **less** any assessed contribution. Where a contribution has been assessed using the standard means test for the Disabled Facilities Grant funded portion this will be taken from the Disabled Facilities Grant and not the top-up assistance.

## **Discretionary Home Safe from Hospital Grant**

A non-repayable grant provided on a discretionary basis to help vulnerable people return home from hospital. Available for anyone by referral to make repairs or alterations to their home to assist hospital discharge, prevent admittance to temporary care placements and prevent re-admission.

### **Eligibility for Assistance**

A referral is required from the Hospital Discharge Team or another Health professional such as a GP Care Advisor. The person must be in hospital, discharged to a care placement or be within 4 weeks of discharge home to a micro-environment and unable to arrange the works themselves.

No means test or passporting benefits will apply.

Only works where the occupier has a duty to carry them out will be included. Any works that are the duty of a landlord or owner (who is not the patient in question) will not be eligible. The Council will give advice and further financial assistance options as applicable but also ensure that anything noted of concern will be passed to enforcement teams or external agencies.

Only one Home Safe from Hospital Grant (even if this was not to the maximum amount) can be provided per year except for a deep clean of essential facilities which is only available once in total per property.

### **Qualifying Works**

Home Safe from Hospital Grants are available to provide minor repairs, clean ups or alterations to assist discharge from hospital where they would be unable to afford such repairs or would struggle to arrange the works themselves. The fees of a home improvement agency can be included.

The eligible works can include but are not restricted to;

- moving furniture
- minor roof and window repairs
- securing doors & windows
- changing light bulbs and putting up curtains
- fixing paths
- repairs to lighting or sockets
- repairing pipes or toilets

- providing a key safe (as long as no other funding is available)
- providing Care Line equipment (but does not include cost of the service itself)
- Deep clean necessary areas (not available in hoarding situations and only if referral made or known to social care for assistance with obtaining home help)

Any minor adaption works such as grab rails and half steps would remain the responsibility of Essex County Council.

The maximum amount of assistance under a Home Safe from Hospital Grant is £1000 (there is no minimum) and can be used alongside any other BCF funded types of assistance. These grants are not repayable and are not registered as a land charge against the property.

### Discretionary Home Safety Grant

A non-repayable grant provided on a discretionary basis to help vulnerable occupying home owners (including leasehold owners with a repairing responsibility) to make urgent and essential minor repairs or alterations to their home to ensure their safety.

#### Eligibility for Assistance

All owner occupiers (and those occupying leaseholders who have a legitimate and reasonable contractual obligation to repair and maintain the premises) are eligible for assistance, including those who occupy mobile homes and caravans, as long as they are in receipt of an income related benefit as per the below list;

Universal Credit

***not** when your UC award is £0.00*

Income Support

Income-related Employment and Support Allowance

***not** contribution-based ESA alone*

Income-based Jobseeker's Allowance

***not** contribution-based JSA alone*

Guarantee Pension Credit

***not** Savings Pension Credit alone*

Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credits assessment was **below** £15,050)

Housing Benefit

Applicants must have lived in the Tendring District for the last 3 years and have been resident in their property for the last 18 months.

Only one Home Safety Grant (even if this was not to the maximum amount) can be provided per year and would not usually be available for anyone who has previously had discretionary financial assistance to improve their (current or previous) property in the last 15 years.

#### Qualifying Works

Home Safety Grants are available to provide minor repairs or alterations to make a property safe or useable for the owner where they would be unable to afford such repairs or would struggle to arrange the works themselves. The fees of a home improvement agency can be included.

The works should not include those that could form part of a claim under any home insurance policy.

The eligible works can include but are not restricted to;

- boiler repairs
- roof repairs
- securing doors
- securing windows
- fixing paths or steps
- repairs to lighting or power sockets
- repairing water supply or drainage pipes

Works to be funded will be determined by the inspecting officer.

The maximum amount of assistance under a Home Safety Grant is £1000 with no minimum amount and can be used alongside other BCF funded types of assistance except Discretionary Emergency Repairs Grants. These grants are not repayable and are not registered as a land charge against the property.

### **Discretionary Emergency Repairs Grant**

Emergency Repairs Grants are provided on a discretionary basis to help low income households pay for urgent works necessary to reduce or eliminate serious risks to health and safety. Priority will be given to works recommended to prevent hospital admissions and aid timely hospital discharge.

#### **Eligibility for Assistance**

Emergency Repairs Grants are available to help households who own or have a lease-hold interest in their home and have a legitimate and reasonable contractual obligation to repair and maintain the premises. The applicant must have lived in the district for at least 3 years and owned and lived in the property for a period of at least 18 months prior to the date of application and the property must normally be more than 10 years old. This form of assistance is also available to owner occupiers of houseboats and residential mobile homes. Priority will be given to those in the vulnerable groups as per the HHSRS guidance or those who are vulnerable due to serious health conditions.

To be eligible for an Emergency Repairs Grant applicants must receive one of the following benefits:

Guaranteed Pension Credit  
Housing Benefit

Universal Credit  
Income Support  
Income-related Employment and Support Assistance  
Income-based Job Seekers Allowance  
Working/Child Tax Credits (where your assessed income is below £15,050)

Where an applicant does not receive a benefit from the above list but otherwise qualifies for the grant, approvals will be given to those applicants who have a nil contribution using the standard means test process in-line with mandatory grants.

### **Qualifying Works**

An Emergency Repairs Grant may be considered for the reasonable cost of the works necessary to:

- Prevent falls and/or reduce or eliminate other immediate risks that are likely to cause serious harm or injury or to deal with any Category 1 hazards identified under the Housing Health and Safety Rating System (Housing Act 2004). Examples may include structural repairs to floors, staircases and steps, boiler repairs or the replacement of dangerous wiring.
- Install suitable home security measures if the applicant is elderly or deemed to be at risk

Any residents who may be eligible for a Disabled Facilities Grant or any government funded energy efficiency schemes will be directed to those schemes. If the applicant is required to make a financial contribution in order to receive works under a government funded energy efficiency scheme an Emergency Repairs Grant may be used to top-up the scheme funding. The usual eligibility criteria for the grant will apply.

Where the applicant has a defective boiler that supplies both the central heating and hot water and requires a full replacement they will first be directed to Government schemes or alternatives if applicable to their circumstances. Where unreasonable delays would occur in accessing those schemes an Emergency Repairs Grant may be offered towards the cost of a full boiler replacement and associated works to those vulnerable to excess cold.

In some instances the balance of the Emergency Repairs Grant may be used to assist the home owner with energy efficiency measures where they would not qualify for any Government funded schemes or there would be unreasonable delays in providing the measures. Priority will be given to funding the most effective measures within the remaining balance.

The minimum grant funding that can be paid is normally £200. The maximum is £6,000. These grants are not repayable and are not registered as a charge against the property.

Only one Emergency Repairs Grant is available in any financial year and the total of Emergency Repairs Grant(s) paid in any 3 year period cannot exceed £6,000.

Those who have had a form of financial assistance to bring their home up to the Decent Homes Standard within the last 15 years will not normally be eligible for an Emergency Repairs Grant.

The professional fees associated with a home improvement agency or architect/surveyor are eligible for grant aid.

## **TERMS AND CONDITIONS COMMON TO ALL FORMS OF ASSISTANCE**

### **Information Provided**

All applicants must be 18 years of age or older at the date of application and in the case of joint applications at least one must be over 18 at the date of application.

Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a valid national insurance number.

Information provided to the Council by applicants as part of the application process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds to help prevent and detect fraud or in investigation of other possible criminal activities.

Applications will only be accepted if they are made on the current form provided by the Council.

Applicants will be required to provide full details of financial circumstances on a form provided by the Council. In completing this form applicants will be required to sign a declaration as to the accuracy of information provided and that of supporting paperwork, e.g. wages slips and accounts, etc. The Council will routinely carry out cross checks on information provided. If incorrect information is provided to the Council the grant will be repayable to the Council on demand.

### **Home Improvement Agency Services**

The Council encourages the use of home improvement agency (HIA) services and will always seek to have a Memorandum of Understanding in place with a suitable agency/agencies. HIAs are no longer appointed by Essex County Council but private organisations will be sort who can provide services to residents. This includes assisting older people and people with disabilities to gain access to funding and specific services including helping people to re-establish their life at home following hospital, a handyperson scheme for small scale repairs and a gardening service.

### **Flexibility within the Policy**

Although the Council has been quite specific about the circumstances in which an application for assistance will be given priority, it will consider each application on its individual merits, even if it appears to fall outside the Council's system of priority.

It is envisaged, however, that such applications will normally be approved only where an applicant is able to demonstrate exceptional hardship or provide very strong justification on the basis of need.

Anyone who feels their request for financial assistance has been refused unfairly and the matter cannot be resolved by discussion with officers is entitled to request a review. In such circumstances details of the case are referred to the Council's Housing portfolio holder for a decision.

An appeal cannot be made in regard to the outcome of the standard means-test as this is set in legislation and not the responsibility of the Council. If you feel there is an error in your test results please speak to the team to ensure it is reviewed by a third officer.

The Assistant Director for Housing and Environment has the discretion to:

- Increase the maximum level of grants in individual cases where the levels of disrepair require further investment to ensure the property meets the Decent Home Standard on completion of works.
- In consultation with the Housing Portfolio Holder provide assistance outside of this policy where it is clear that there are exceptional circumstances and the case has been considered on its merits.

### **Worsening Circumstances**

Applicants will not be entitled to financial assistance if they have deliberately worsened their housing circumstances or if their housing situation has been made worse because they have acted in a manner that is unreasonable.

### **Local Builders**

The Council will only normally approve funding for work that is to be undertaken by builders from within the Tendring area or who employ local residents. This is in order to provide sustainability and promote employment in the area whilst supporting housing led regeneration. Discretion will be applied where specialist work is needed or value for money cannot be demonstrated.

### **Payment of Fees**

At the discretion of the Council, the reasonable cost of preliminary or ancillary services, fees and charges will be included within the calculation of financial assistance. Each submission of fees will be individually considered for reasonableness. The payment of such fees is conditional on a grant being approved and the completion of all specified works, otherwise the Council will not be held responsible for any fees incurred before or after approval.

Where an applicant or a member of their household is elderly, disabled or vulnerable and they need the services of a home improvement agency, architect or surveyor to organise and oversee works funded by any form of assistance in this policy the Council will include the reasonable fees in the calculation of the financial assistance.

Where there has been an award under the Party Wall Act reasonable fees and works to neighbouring properties detailed in the award will be considered eligible for financial assistance, only where the works being undertaken are those scheduled or approved by the Council.

### **Approvals for Works**

The responsibility to gain all necessary approvals for works to be undertaken rests with the applicant or their agent. Such approvals may be Planning Permission or Building Regulations Approval or any other approvals as advised by the Council.

### **Contractual Arrangements**

It is the applicant who employs the builder to undertake agreed works and the Council have no contractual liabilities in that relationship as their role is only to administer the grant process.



By approving an application for assistance, the Council is providing the applicant with an undertaking to pay a specific sum of money, subject to satisfactory completion of the approved works and on condition that the applicant complies with the agreed terms.

An applicant who fails to comply with the terms and conditions of assistance will be wholly liable for meeting any costs incurred under the contract.

The contractor who is chosen by the applicant, is responsible for ensuring that the works progress to a satisfactory conclusion. Before the works commence, it is essential that the applicant (or their representative) and their chosen contractor agree the following:

- (a) The exact scope and cost of the works (what is included and what is not).
- (b) The time it is likely to take to complete the contract.
- (c) Arrangements for gaining access to the property, including hours of work.

### **Resolving Disputes**

The applicant is ultimately responsible for ensuring the quality of the completed works. Applicants are strongly advised to engage a professional agent e.g. an architect, surveyor or Home Improvement Agency to act on their behalf/supervise the works on their behalf. The applicant and builder will be expected to resolve any disputes that arise. The Council will not act as clerk of works or become involved in any disputes.

### **Ensuring Value for Money**

It is the responsibility of the applicant (and their representative, if they have one) to satisfy themselves that the contract price provides value for money.

However, to safeguard public money, the Council will only approve financial assistance on the basis of what it considers to be the reasonable cost of the works. Costs above this amount will not qualify for assistance.

On considering applications for the benefit of people with disabilities the Council will not grant aid adaptations for which County Council Social Services are responsible under the Chronically Sick and Disabled Persons Act 1970 or there are other possible alternative sources of funding, e.g. the NHS.

### **Unforeseen Works and Savings**

Where a contractor discovers the need for further works after starting on site, additional financial assistance will **only** be considered if those works could not have been foreseen prior to the commencement of the works **and** if the extra costs have been approved in writing **before** the additional work is carried out.

The Council must be notified of any reduction in costs that occur as the works progress.

### **Situations where the amount of Grant assistance may change**

The amount of grant approved represents the reasonable cost of undertaking eligible works together with any associated ancillary costs such as architects' fees.

The amount approved will be paid upon satisfactory completion of work following submission of valid invoices together with any necessary guarantees/certificates etc.

However, there are circumstances where the amount of financial assistance paid may vary from that originally approved. The following list describes those situations where applicants are required to notify the in writing Council of a change in circumstances as payments may be affected.

- Proposed change of contractor if different from one of those who provided an estimate forming part of the application for financial assistance. If the contractor proposed is one that did not provide an estimate for consideration at the approval stage the Council will need to agree this in writing before works commence.
- Where unforeseen works eligible for assistance become evident during the course of work.
- Where final invoices for the works involved are less than the sum approved.
- Where works are not completed within the time scale specified (as set out in Stage 5 – Approval of Applications – Page 19 refers).

Applicants are encouraged to contact the Council in advance if they believe that their circumstances may change in order that they can be given advice on the options available.

Where an applicant dies or needs to move into residential care because of deterioration in their health, the Council will provide financial assistance for any works that have already been completed, or need to be completed to make the building weather tight or useable e.g. an unfinished extension or bathroom.

### **Payment of Financial Assistance**

Payments will normally only be made on satisfactory completion of the works. However for large works (or where several contractors are being employed) interim payments can be made for up to a total of 90% of the financial assistance originally approved.

Payments shall be conditional upon receipt of an acceptable invoice accompanied by any relevant supporting documentation e.g. damp proofing guarantee, certification issued by Gas Safe Register contractor for gas installations, electrical work completed by a contractor registered under a scheme for Approved Document Part P as able to self-certify their own electrical work, window and door installations under FENSA or a similar approved organisation as appropriate and a Certificate of Completion if the work was subject to Building Regulation control.

Payment will normally be made direct to the appropriate contractor following agreement with the applicant that works to the appropriate stage have been satisfactorily completed. Where the applicant has already paid the contractor, payment will be made direct to the applicant on production of a receipt for payment. In the case of a dispute between the applicant and contractor which is not resolved in a reasonable time period the grant, or part thereof, may be paid to the applicant at the discretion of the Council.

Payment of any grant approved will only be considered after any applicant's contribution has been accounted for in the value of invoices submitted.

## **Repayment of Financial Assistance**

Repayment conditions are attached to all types of assistance available under this policy. Please see the specific types of financial assistance for more details. Grants will be recoverable in full if the applicant ceases to be eligible during the works or if it is found that the applicant was not eligible for the assistance before the certified date.

Where repayment may cause undue hardship the Strategic Housing and Needs Manager, in consultation with the Housing Portfolio Holder will consider waiving repayment of all or part of a grant (when the property is sold or transferred).

When considering such requests, the Council will consider the value of the property, the amount of equity and the reasons why it is being sold or transferred. It will also want to know about the personal circumstances of the applicant's household (such as their health, mobility, employment, income, outgoings and savings) and the type of housing and support they require.

Prior to reaching a decision, the Council will seek from the applicant all information and evidence that is considered relevant. If the applicant withholds this information or fails to demonstrate that they will be caused significant hardship by the requirement to repay all or part of the grant, their request is unlikely to be met.

In the event of a recipient of assistance pursuing a successful insurance claim, action for legal damages, etc. which covers the cost of works for which assistance was previously paid the applicant will on demand repay the total value of the funding relating to such works or the value of the insurance payment/legal damages if lower.

## **Land Charges**

Where applicable to the type of assistance given the value of a grant will be registered against the property as a local land charge interest with the Council's Land Charge service and will be subject to a repayment when the home is sold or transferred to another owner or in some cases due to change in occupation. Disabled Facilities Grants have their own repayment conditions and registration at Land Charges.

The Private Sector Housing Service will undertake annual checks where repayment conditions apply to ensure ongoing compliance with the grant conditions and the applicant's acceptance of this will form part of the grant application. Failure to comply with grant conditions or respond to requests for information may result in a repayment demand.

## **GENERAL MATTERS AND THE APPLICATION PROCESS**

### **Future Development of the Policy**

In the longer-term, it is hoped that the Council will work closely with mortgage lenders, benefit maximisation specialists and financial advisers to make it easier for low income households (especially those without a mortgage) to increase their income and release the equity in their homes and fund repairs and improvements from their own resources. It is hoped that future schemes will be implemented jointly with ECC and other partners to support local service provision within social care and the NHS.

## **Equality and Diversity**

The Council has undertaken an Equality Impact Assessment of this Policy.

## **Sources of Advice and Alternative Funding**

The Private Sector Housing team provides technical advice on housing conditions, disabled facilities and HMOs and fire safety, as well as information on financial assistance available.

The Operational Services Private Sector Housing Grants team can be contacted by telephone on 01255 686744.

By letter to Council Offices, 88-90 Pier Avenue, Clacton on Sea, CO15 1TN.

By email to [dfgteam@tendringdc.gov.uk](mailto:dfgteam@tendringdc.gov.uk)

Home Improvement Agencies provide disabled and vulnerable people with advice on a range of housing options, and in some cases can organise and oversee repairs and adaptations. For advice about provision covering Tendring please contact Foundations on 0300 124 0315 or use the postcode finder at [www.findmyhia.org.uk/](http://www.findmyhia.org.uk/). Foundations is appointed by the Ministry of Housing, Communities & Local Government to oversee a national network of nearly 200 home improvement agencies (HIAs) and handy person providers across England.

The Energy Savings Trust provides advice on home energy efficiency including insulation and heating improvements, including the various sources of funding at [energysavingtrust.org.uk/](http://energysavingtrust.org.uk/)

Simple Energy Advice is a government endorsed advice service and can be accessed at [www.simpleenergyadvice.org.uk/](http://www.simpleenergyadvice.org.uk/) or you can call on 0800 444 202

Colchester Credit Union offers convenient savings and low interest loans to its members:

Colchester Credit Union Ltd.,  
7 The Centre  
Hawthorn Avenue  
Colchester  
CO4 3PX  
Telephone: 01206 798 823  
[info@colchestercreditunion.co.uk](mailto:info@colchestercreditunion.co.uk)  
[www.colchestercreditunion.co.uk](http://www.colchestercreditunion.co.uk)

## **Applying for Financial Assistance**

The following summarises the procedure for applying to the Council for assistance but stages of the process may or may not be applicable to all forms of assistance:

### **Stage 1 – Initial Enquiry**

For Disabled Facilities Grants initial enquiries have to be made to Social Services at Essex County Council as we can only grant aid work that has been recommended by an Occupational Therapist. The telephone number for Social Services is 0345 603 7630 (option 3 for Occupational Therapy). A visit from an Occupational Therapist will be arranged. If however you wish to

undertake a preliminary means-test or want advice about passporting benefits please contact Private Sector Housing Grants on 01255 686744.

Applicants for other discretionary grants should contact the Private Sector Housing Team on 01255 686744 to register their enquiry and request an enquiry form.

### **Stage 2 – Preliminary Assessment**

The applicant or referral agent will usually complete and return an enquiry form, providing the Council with the information it requires on their circumstances including details of their financial situation and the condition of their home.

Using the information on the enquiry form, the Council will make a preliminary assessment of the applicant's entitlement to assistance and decide whether an officer should inspect the property.

With regard to Disabled Facilities Grants, on receipt of recommendations from an Occupational Therapist an administrator will either make an appointment for a Technical Officer to inspect the property or send you a financial assessment form.

### **Stage 3 – Home Survey**

An officer from the Private Sector Housing Team will visit and survey the applicant's home to establish whether or not, based on its condition, the property is eligible for assistance. In respect of Disabled Facilities Grants they will be looking to see that the adaptations proposed by the Occupational Therapist are both reasonable and practical.

### **Stage 4 – Formal Application**

After surveying the applicant's home, if eligible for assistance, the Council will send the applicant an application pack containing written instructions, an application form and copies of a schedule of qualifying works. If the property does not qualify for assistance, the applicant will be advised and the enquiry cancelled. If the applicant has chosen an agent to act on their behalf this information will be sent to the agent.

To make a valid application, the applicant must complete the application form in accordance with the written instructions provided, and they or their agent must normally obtain at least two competitive estimates from contractors, using the Council's schedule of works. The contractor who is chosen to undertake the work is appointed by the applicant, not the Council. All applicants will be required to provide evidence of benefit entitlement and/or detailed financial information. The Council will normally make an enquiry with HM Land Registry to confirm ownership of the property. In cases where a property is not registered a proof of ownership certificate must be completed, signed and officially stamped either by the applicant's Solicitor, a notary or by the company holding the title deeds of the applicant's home. In addition, the applicant and any joint owners will be asked to sign a repayment agreement if applicable.

Reasonable costs arising in respect of the above will be included as part of the grant.

In making an application for financial assistance, the applicant agrees to the terms and conditions attached to the provision of that assistance.

### **Stage 5 – Approval of Application**

Before approving an application for assistance, the Council must be satisfied that the application is complete and that it accurately reflects the applicant's circumstances. The Council must also be satisfied that the cost of the qualifying works is reasonable.

An approval certificate will be sent to the applicant, informing them of the nature and value of the assistance that is to be provided and giving the applicant details of the terms and conditions that are attached to the provision of that assistance.

### **Stage 6 - Arranging Payment**

Upon receiving the grant approval certificate, the applicant should contact the contractor to make arrangements for the work to commence and contact the Council officer to inform them of the start date. Please keep your officer informed of any changes to the start or completion dates and about any issues that arise during the works.

The works will normally be inspected at some time before completion – several times a week for larger works.

On satisfactory completion of the works, the applicant must sign the satisfaction certificate, and provide this together with the contractor's invoices.

Interim payments can also be made following the satisfactory completion of certain elements of work and upon receipt of the contractor's invoice together with any relevant supporting documents such as guarantees or certificates.

To satisfy audit requirements, a member of the Private Sector Housing team will visit the property to inspect the works before arranging final payment.

Unless otherwise specified in the application form or if it is a materials only grant the payment will normally be made directly to the contractor by BACS transfer.

### **Appeals, Complaints and Feedback**

If you wish to provide any feedback or comments about this Financial Assistance Policy please contact the team on 01255 686744 or via [dfgteam@tendringdc.gov.uk](mailto:dfgteam@tendringdc.gov.uk).

The Council's Corporate Director with responsibility for the Housing Service has overall responsibility for this policy.

As mentioned previously there is no appeal procedure in relation to means testing as this is set by Central Government legislation. All tests of resources are double checked by another officer. If you wish for your test results to be explained to you or would like your results to be further reviewed please contact the department on 01255 686744.

If an applicant wishes to seek a review of an unsuccessful application or alternative approval, they should first contact the Senior Housing Renewal & Adaptations Officer via 01255 686744, [dfgteam@tendringdc.gov.uk](mailto:dfgteam@tendringdc.gov.uk) or by writing to the address below:

Senior Housing Renewal & Adaptations Officer  
Private Sector Housing  
88-90 Pier Avenue  
Clacton-on-Sea  
Essex CO15 1TN

The applicant will receive a response within 10 working days of their enquiry.

Should the applicant be unsatisfied by the response given they should then write to the Assistant Director of Housing & Environmental Health at the address below:

Assistant Director of Housing & Environmental Health  
88-90 Pier Avenue  
Clacton-on-Sea  
Essex CO15 1TN

The applicant will receive a written reply to their complaint or request for a review from the Assistant Director of Housing & Environmental Health within 21 days of their correspondence being received. If the applicant remains dissatisfied, their complaint or request for a review will be dealt with under the Council's Corporate Complaints Procedure

## **Appendix A**

### **The Decent Home Standard**

A decent home is one which:

#### **a – Meets the current statutory minimum standard for housing**

- The home meets the current minimum statutory standard for housing i.e. it is free of significant health and safety hazards under the Housing Health and Safety Rating System.

#### **b – Is in a reasonable state of repair**

Dwellings which fail to meet this criterion are those where either:

- One or more of the key building components are old and, because of their condition, need replacing or major repair; or
- Two or more of the other building components are old and, because of their condition, need replacing or major repair.

#### **c – Has reasonably modern facilities and services**

Dwellings which fail to meet this criterion are those which lack three or more of the following:

- A reasonably modern kitchen (20 years old less).
- A kitchen with adequate space and layout.
- A reasonably modern bathroom (30 years old or less).
- An appropriately located bathroom and WC.
  - Adequate insulation against external noise (where external noise is a problem).

#### **d – Provides a reasonable degree of thermal comfort**

This criterion requires dwellings to have both effective insulation and efficient, programmable heating.



## Appendix B

### The Housing Health and Safety Rating System (HHSRS)

This is a means of identifying faults in dwellings and evaluating their potential effect on the health and safety of occupants, visitors, neighbours and passers-by. The Housing, Health and Safety Rating system defines 29 hazards that may affect the health and safety of residents and visitors to any dwelling over a 12 month period. These are:-

- Damp & Mould Growth
- Excess Cold
- Excess Heat
- Asbestos (and Manufactured Mineral Fibres)
- Biocides
- Carbon Monoxide & fuel combustion products
- Lead
- Radiation
- Uncombusted fuel gas
- Volatile Organic Compounds
- Crowding and Space
- Entry by Intruders
- Lighting
- Noise
- Domestic Hygiene, Pests & Refuse
- Food Safety
- Personal Hygiene, Sanitation & Drainage
- Water Supply
- Falls associated with baths etc.
- Falling on level surfaces etc.
- Falling on stairs etc.
- Falling between levels
- Electrical hazards
- Fire
- Flames, Hot surfaces etc.
- Collision & Entrapment
- Explosions
- Position and operability of amenities etc.
- Structural collapse & falling elements

More detailed information can be found on the DCLG website. [www.dclg.gov.uk](http://www.dclg.gov.uk)  
All hazards are risk assessed by reviewing the deficiencies which contribute to the hazard, scoring the likelihood of the deficiency causing an occurrence of the hazard within the next 12 months and then scoring the outcome for each class of harm (this range from life-threatening to minor harm requiring medical attention such as moderate cuts). This will give a numerical score which is used to decide on the hazard band.

#### Meaning of Category 1 and Category 2 hazards:

Once the hazard has been scored and given a hazard band, the hazard is then classed as either a Category 1 or Category 2 hazard. The reason that this is important is because all local authorities have a duty to take the appropriate enforcement action to eliminate or reduce Category 1 hazards. They have

discretionary powers to take the appropriate enforcement action to eliminate or reduce Category 2 hazards.

For the purpose of this financial assistance policy:

- a Category 1 hazard is one that has a hazard band of A, B or C and therefore a hazard score in excess of 1000
- a high Category 2 hazard is one that has a hazard band of D, E and F and therefore a hazard score between 100 and 999
- a low Category 2 hazard is one that has a hazard band of G, H, I or J and therefore a hazard score between 1 and 99.

## Appendix C

### SERVICE STANDARDS

The Private Sector Housing team aims to provide all service users with a professional, efficient and responsive service of the highest quality.

#### Standards of Service

The Service operates to the following standards of performance where applicable and some sections do not apply to Home Safe from Hospital Grants or Disabled Facilities Grants:

- An enquiry form will be sent out within 5 working days of the request unless not required for the assistance type.
- Within 10 working days of the Council receiving a completed enquiry form, an appointment will be made to carry out a home survey to confirm eligible works and to ensure that the most appropriate grant application is made.
- Within 20 working days of the home survey being carried out, an application pack will be sent to the applicant, including a schedule of the repairs, improvements and adaptations for which the Council is prepared to offer financial assistance, or, a letter cancelling the enquiry if the property is not eligible for assistance.
- Within 8 weeks of receiving a complete and valid application, the Council will write to the applicant, confirming the nature and value of the assistance that is to be provided. (If the application is incomplete or further information or estimates are required, the applicant will be notified of what is required within 10 working days of submitting the application).
- All payments will be made within 28 days of the Council receiving valid invoices and being satisfied that all qualifying works have been completed satisfactorily.

The level of funding the Council has available for grant purposes varies each year.

**Although the Council will strive to meet the above service standards, it reserves the right in the event that the demand for grants exceeds the available funding, to introduce a prioritised grant allocation scheme (waiting list) or suspend services altogether.**

The scheme would be implemented in consultation with the Housing Portfolio Holder and have regard to the needs of the applicants and the degree of risk to their health and safety to ensure remaining funds are targeted to the most vulnerable living in the worst housing.

## Appendix D

### PERFORMANCE STANDARDS

There are a number of Legislative targets and Performance Indicators which are relevant to the objectives of this Financial Assistance Policy:

- The legislation requires that a Disabled Facilities Grant is approved within 6 months of a valid application date.
- The national indicator is to determine (i.e. approve or refuse) 100% of valid Disabled Facilities Grant applications within 8 weeks of receipt of a valid application.
- The government guidance is for a valid application for a Disabled Facilities Grant to be determined within 30 days.
- To determine (i.e. approve or refuse) 100% of valid Grant applications within 20 weeks of receipt of a valid application.

**Our department objective is to be below the government guidance stated above, to constantly review the process to improve our timescales and ensure our residents get the best possible service they can from us.**

In order to ensure that we deliver on the commitments and performance targets set out above, we will monitor our statistics and performance monthly through cross checking our systems at all levels. These processes ensure that operational arrangements are considered by those responsible for delivering the initiatives.

Lisa Wilson

Essex County Council

County Hall Chelmsford

Essex

CM1 1QH

20-12-2018

Dear DFG Essex Group member

This Letter of interpretation is for Essex District, Borough and City Councils Better Care Fund (BCF) usage.

As there have been differing interpretations over the use of BCF funds for purposes other than the mandatory DFG grants as set down in the Housing Grants, Construction and Regeneration (HGCR) Act 1996 and subsequent guidance documents, a new set of guidance for Essex authorities to jointly work to should be established. This has been discussed at a recent Essex-wide DFG meeting and suggestions were received by ECC to formulate the following recommendations.

Local District, Borough and City councils hold the power to decide how to interpret policy governing the use of DFG & BCF funding and should ensure all works are in line with the mandatory DFG framework and/or any local discretionary policies agreed under the Regulatory Reform Order (RRO) 2002, to ensure the maximum use of adaptations and fully using the grants awarded each year for the benefit of residents. It should be noted principles around the treatment of underspends are currently under discussion and will be confirmed at a later date.

To assist this to happen Essex County Council has developed this document to assist LAs to fully utilise the grants by setting out some guidelines to form an Essex wide approach, ensuring all Essex residents have fair access to the appropriate grants. Any caution regarding the application of this guidance should be addressed at a local level alongside any policy changes required by each LA.

Although how the DFG can be used is set down in the HGCR, the approval of each specific applicants DFG is subject to an assessment by 'the social services authority' that the work is 'necessary and appropriate' and by the housing authority to ensure that the proposed work is both 'reasonable and practical'. This can give rise to differing interpretations about when a disabled person may be eligible for a DFG.

Alongside the mandatory DFG framework an increasing number of local authorities are using their discretion under the Regulatory Reform Order (RRO) to develop discretionary uses of the BCF DFG funding to complement the mandatory grant. Further details are available on the website of Foundations, the national body for Home Improvement Agencies and Handyperson Services - <https://www-foundations-uk-com/dfg-adaptations/dfg-regulations/the-regulatory-reform-order/>

As we use DFG funds more flexibly in line with this guidance it will be important to understand the outcomes and benefits achieved for both individuals and the wider

system. We will continue to work with LAs around how we better understand these through approaches such as the outcomes framework, quarterly financial monitoring and annual reporting mechanisms we are already working together to develop and implement.

**Elements to be found in discretionary private sector housing policies may include:**

- a) **Providing discretionary finance to enable work to be completed.** This could include:
- Removing means testing on recommendations such as access e.g.: Stair lifts and ramps, particularly to avoid delays with hospital discharge. This does have a risk that on some occasions the award is going to a person who has the means to undertake this work themselves however the benefits to people are likely to outweigh the risks.
  - Awards over the £30k threshold - as discretionary top-ups do not breach any national conditions on upper limits of adaptation spend (LAs are advised to set an upper limit to this). However, all other options should be exhausted, and the reasons for this expenditure will need to be justified. Also if not registered as a loan an agreement for paying back part of the grant would be expected. This is for use only in exceptional circumstances, and must demonstrate positive outcomes for the client.

It is acceptable to place a charge on a property where discretionary grant funding has been awarded under the RRO as long as the LA has an agreed and published policy to do this. Issues to consider include:

- Privately owned dwelling: you may insist that the grant or loan is paid back in part or in full when the house is sold or transferred due to recipient moving house or dying. This may be timescale dependent.
- You may include a sliding scale of payback based on the length of time that has passed since the grant was paid
- You may insist that if a person moves into a care/residential setting you can reclaim or reuse the adaptation.

b) **Removing HHSRS Category 1 hazards** (although it may be more appropriate to consider the use of the enforcement process) Issues which could be dealt with could include excess cold, domestic hygiene (including hoarding), food safety, and disrepair. Consideration of the use of discretionary grants or loans to deal with excess cold/affordable warmth issues should also be considered in the light of any other sources of energy related funding.

c) **Moving to alternative accommodation** - either on a temporary basis whilst major work is carried out or to facilitate a move to permanent alternative accommodation where this may be in the best long-term interests of the disabled person.

d) **Assisting the timely discharge of patients from hospital/hospice** - helping to avoid unnecessary residential placements.

e) **Handyperson services for preventative work** - including fitting of key safes and grab rails, bed moving and reconfiguration of furniture in home to limit falls.

f) **Administrative, technical or OT services over and above those provided for the mandatory DFG provision** - to enable the non-mandatory grants and loans for the above reasons as well as to assist with Social Housing offers.

LAs will need to review their policies covering *safe and warm* homes and/or environmental health policy to ensure that these items are covered by these policies.

**NB** Adaptations in Council housing stock for Social tenants are the responsibility of the landlord and should not be funded from the direct DFG budget.

Other related support

**Essex County Council's Therapists/ Social Care Services** are responsible for:

Community Equipment Services (CES): These services are contracted by Partner Organisations to provide community equipment on loan to adults and children following assessment by health and/or social care practitioners within a Section 75 Agreement. Equipment is provided to assist people to perform essential activities of daily living and to maintain their health, independence and wellbeing in the community.

Taken from ECC Guidance for Provision of Community Equipment in Care Homes across Essex 2.3 page 2

[https://www.essex.gov.uk/Documents/Guidance\\_for\\_Provision\\_of\\_Equipment\\_in\\_Care\\_Homes.pdf](https://www.essex.gov.uk/Documents/Guidance_for_Provision_of_Equipment_in_Care_Homes.pdf)

If the service provider of any of the services listed above changes, the principles of the guidance will stand.

I hope colleagues will find this information useful in developing local policies and in making sure DFG funds go towards improving outcomes for residents in Essex.



Lisa Wilson Head of Strategic Commissioning and Policy – Adult Social Care (PSI and Personalisation) Essex County Council

*Please note this document/paper is for guidance purposes only and whilst the information provided has been done so in the utmost good faith and based on information currently available each Authority/reader must have regard and adopt their own policies and governance first and in the event of a conflict those internal policies prevail. Essex County Council assumes no responsibility for errors or omissions in the contents of this guidance and in no event shall Essex County Council be liable for any breach by an Authority of its own internal policies and obligations in adopting or following the guidance nor is ECC liable for any damages whatsoever, whether in an action of contract, negligence or tort arising out of or in connection with the contents of the guidance*

**THE DISABLED FACILITIES CAPITAL GRANT (DFG) DETERMINATION 2020-21  
[31/5037]**

**The Parliamentary Under Secretary of State (Minister for Local Government and Homelessness)** (“the Minister”) in exercise of the powers conferred by section 31 of the Local Government Act 2003 hereby makes the following determination:

**Citation**

1. This Determination may be cited as the Disabled Facilities Capital Grant Determination (2020-21) **[31/5037]**.

**Purpose of the grant**

2. The purpose of this grant is to provide support to local authorities in England towards capital expenditure lawfully incurred or to be incurred by them.

**Determination**

3. The Minister determines as the Tier 1 authorities, unitary authorities and London Boroughs to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in **Annex B** to this determination.

**Grant conditions**

4. Pursuant to section 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions set out below.

**Treasury consent**

5. Before making this determination in relation to local authorities in England, the Minister obtained the consent of the Treasury.

Signed by authority of the **Parliamentary Under Secretary of State (Minister for Local Government and Homelessness)**.



**Cathy Page**  
Deputy Director  
Housing Support Division

**May 2020**



## GRANT CONDITIONS

1. Grant paid to a local authority under this determination may be used only for the purposes of meeting capital expenditure and as provided for in paragraphs 2 to 5 below.
2. Grant paid under this determination must be spent in accordance with a Better Care Fund (BCF) spending plan jointly agreed between the relevant local authority or local authorities and the relevant Clinical Commissioning Groups. This plan must be developed in keeping with the 2020-21 BCF Policy Framework and BCF Planning Guidance (which provides specific guidance on the DFG) which will be published shortly.
3. In two-tier authority areas each Tier 1 authority must pay the amounts specified in **Annex B** below as allocated to the named Tier 2 authorities in their area to those authorities in full **no later than 28<sup>th</sup> June 2020**, subject to paragraph 4.
4. A Tier 1 authority may retain part or all of an amount specified in **Annex B** below as allocated to a Tier 2 authority in their area if the relevant Tier 2 authority has expressly agreed, in accordance with National Condition 1, that the money is to be used for other social care capital projects.
5. Any money paid under this grant determination must only be used for the specific purpose of funding adaptations for disabled people who qualify for a Disabled Facilities Grant made under the Housing Grants, Construction and Regeneration Act 1996 or under the Regulatory Reform (Housing Assistance) Order 2002 (or any other social care capital projects where otherwise agreed as above).
6. The Chief Executive or Chief Internal Auditor of each of the recipient payment authorities (London Boroughs, Unitary Authorities and Upper Tier Authorities) are required to sign and return to [Disabled.facilitiesgrants@communities.gov.uk](mailto:Disabled.facilitiesgrants@communities.gov.uk) at the Housing Support Division of the Ministry of Housing, Communities and Local Government a declaration, **to be received no later than 31<sup>st</sup> October 2021**, in the following terms:

“To the best of our knowledge and belief, and having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the **Disabled Facilities Capital Grant Determination (2020-21) No [31/5037]** have been complied with”.
7. If an authority fails to comply with any of the conditions and requirements of paragraphs 1, 2, 3 and 5 the Minister of State may-
  - a) reduce, suspend or withhold grant; or
  - b) by notification in writing to the authority, require the repayment of the whole or any part of the grant.

8. Any sum notified by the Minister of State under paragraph 6(b) shall immediately become repayable to the Minister.

#### DISABLED FACILITIES GRANT ALLOCATIONS 2020-21

Tier 1 Authorities	2020/21 Allocations
<b>Essex</b>	<b>£10,474,954</b>
Basildon	£1,267,929
Braintree	£931,069
Brentwood	£370,282
Castle Point	£732,741
Chelmsford	£970,881
Colchester	£1,279,778
Epping Forest	£855,956
Harlow	£798,153
Maldon	£539,488
Rochford	£475,968
Tendring	£2,045,092
Uttlesford	£207,619

<b>Key Decision Required:</b>	<b>Yes</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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## CABINET

26 June 2020

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING

#### **A.5 FUTURE USE OF SPENDELLS HOUSE, WALTON**

(Report prepared by Tim Clarke, Jane Treagus, Richard Barrett and Richard Hall)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To inform Cabinet of the work undertaken by officers to find a future use for Spendells House and to seek agreement to bring the building back into use as a temporary accommodation unit for homeless households, and in particular family households.

##### **EXECUTIVE SUMMARY**

Following Cabinet’s decision on 23<sup>th</sup> March 2018, Spendells House was closed and the residents relocated to other housing in the district. The primary reason for its closure was due to very low demand from those eligible to live in sheltered housing.

Options for the future use of the site have been considered with the conclusion that the scheme could provide an alternative option to the Council in responding to the demand for temporary accommodation given the increase in homelessness over recent years as set out further on in this report.

Homelessness applications and temporary accommodation placements have been increasing over recent years, a trend that shows no sign of diminishing. Currently temporary accommodation is sourced externally via local property owners and bed and breakfast establishments.

With an estimated capital investment of **£0.600m** from the Housing Revenue Account (HRA), Spendells House can be brought into use as council owned and managed temporary accommodation providing a better quality and more versatile provision than is currently available externally. The project would enable significant savings to be made compared with the cost of existing options used by the Council and which would represent an average 19% return on investment.

##### **RECOMMENDATION(S)**

**It is recommended that Cabinet:**

- 1. notes the outcome of work undertaken in identifying an alternative use for the Spendells house site, Walton on Naze;**
- 2. in consideration of the increase in temporary accommodation placements across the district and significant associated costs, agrees that the Spendells house site should be retained and reconfigured for the provision of temporary housing accommodation;**
- 3. authorises the Corporate Director (Operations and Delivery) in consultation**

with the Portfolio Holder for Housing to submit a planning application for the change of use of Spendells House to form hostel type accommodation;

4. that subject to the above, the necessary works are undertaken to the property at an estimated cost of £0.600m, with this cost being met in 2020/21 from within the existing housing revenue account capital programme; and,
5. agrees a delegation to the Corporate Director (Operations and Delivery) to make the necessary adjustments to the base on-going revenue budget (both GF and HRA) to reflect the on-going cost of operating Spendells House as temporary accommodation, but with no overall net impact on existing budgets.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The decisions will contribute to the following priorities in the Corporate Plan 2016-2020:

**Health and Housing** – The appraisal has focussed on ensuring the provision of good quality and appropriate housing that meets local needs. In this instance there is a need for secure and reasonably priced temporary accommodation.

**Our Council Our Community** – Future uses of the site must be appropriate to the needs of the community.

### FINANCE, OTHER RESOURCES AND RISK

#### Finance and other resources

As highlighted in the report presented to Cabinet on 23<sup>rd</sup> March 2018, the net cost of operating Spendells House at what had become a very low occupancy had increased to a level that is was no longer sustainable, and when taken into account with the estimated capital costs associated with major repairs and remedial works resulted in a negative viability assessment. This was further compounded by the cost of the empty flats within the scheme such as council tax payable during void periods.

Temporary accommodation placements for homeless households have increased over recent years. In 2013/14 temporary accommodation placements cost the Council **£0.022m** whereas by 2018/19 the cost had increased to **£0.459m**. Unless the Council uses its own housing stock the cost of temporary accommodation over that covered by Housing Benefit subsidy is met by the General Fund.

The table below shows the level of gross spend on temporary accommodation in recent years.

Year	Spend
2013/14	£22,368
2014/15	£71,382
2015/16	£103,308
2016/17	£204,028
2017/18	£335,947
2018/19	£459,265

With homelessness levels showing no signs of reducing (both nationally and locally) temporary accommodation costs can only be reduced by the Council using its own

housing stock or securing less expensive accommodation that it can currently secure. Using our own accommodation is unlikely to be supported by those on the Housing Register as they are likely to feel that homeless households are jumping the queue. Many other councils have either repurposed existing buildings, or have purchased additional housing stock to use as temporary accommodation. Hostel type accommodation is regarded as a short term solution for each individual case, while their circumstances are being assessed.

In terms of repurposing existing buildings, **Appendix A** sets out the estimated annual cost of operating Spendells House as a temporary housing unit. Estimated costs include the necessary support staff, council tax, cleaning, replacement of furniture along with building costs such as routine repairs and maintenance. The total annual cost is estimated as **£0.136m** in the first year of operation, with inflationary pressures applied in later years in line with the wider financial forecast.

As the fabric of the property will be managed within the HRA, the associated costs such as repairs and maintenance will be charged to that account rather than the General Fund. This is a choice that can be made locally rather than driven by the accounting requirements. Although it can be argued that the HRA is subsidising a General Fund function, this proposal helps balance the overall cost across the Council. The overall decision proposed and financial information provided is based on all costs being taken into account not just those in the General Fund.

Taking the above into account the estimated annual net costs split over the General Fund and HRA in the first year of operation would be as follows:

General Fund - £75,570  
 HRA - £60,166  
**Total Cost - £135,736**

In terms of the HRA, Spendells House currently incurs costs of approximately **£0.040m** per annum, largely from council tax charges on empty properties. Therefore if the proposals were agreed, this cost would transfer to the General Fund and this saving to the HRA would be available to partly offset the cost of repairs and maintenance of **£0.060m** as set out above. It is anticipated that the difference in costs (**£0.020m**) would be able to be accommodated within existing repair and maintenance budgets in the HRA, which currently exceed **£6m** per year.

In terms of the General Fund, the existing net non-employee homelessness budget in 2020/21 is **£187,030**. The total on-going estimated net costs highlighted above of **£75,570** could therefore be accommodated within the existing base budget. It is worth highlighting that existing budgets currently meet a range of initiatives such as rent deposit guarantee payments, block booking units of temporary accommodation and other associated initiatives so these budgets would have to be reprioritised to balance the need to meet the on-going costs of operating Spendells House as well as providing other important activities. However this underlying budgetary provision has historically been supported by a significant level of grant funding from the Government to help meet the Council's homelessness responsibilities, with the grant receivable in 2020/21 totalling **£425k**.

Therefore, in terms of reprioritising budgets, the underlying aim is to match on-going fixed costs (such as those that will be associated with operating Spendells as temporary housing units) with the ongoing base budget. The flip side would therefore require the use of temporary income, such as the grant from the Government to fund temporary initiatives

or those can be flexed (such as existing block booking arrangements) to respond to changes in demand and supply. Operating homelessness budgets in this way will therefore provide confidence around being able to meet future on-going obligations and therefore reducing potential future cost pressures.

**Appendix B** builds on the scenario set out above. Column A sets out the outturn position for 2019/20 based on the existing temporary housing provision. Column B sets out the notional position for 2019/20 if Spendells House had been operating as temporary accommodation. This shows a saving of **£176k** when comparing the two positions, which is primarily due to the reduced need to use bed and breakfast accommodation as households would have been placed in Spendells House instead.

Taking a look across 5 years, **Appendix A** indicates that there would be an estimated annual saving of just over **£112k** with the introduction of Spendells House as temporary accommodation.

In terms of the capital to bring the site back into use as a temporary accommodation unit Spendells House will require estimated capital investment of **£0.600m**. As set out in **Appendix B**, once open the scheme will generate an estimated average return on investment (ROI) of 19% and could pay back the initial investment in just over 5 years.

In terms of funding the capital cost of **£0.600m**, it is proposed to meet this from within existing HRA capital budgets. The current major repairs budget is **£3.1m** in 2020/21, with a new build and acquisition budget of **£1.9m** from funding carried forward from 2019/20 and including the base budget for 2020/21. Therefore the costs can be accommodated by reprioritising existing activities within these overall capital programme budgets, whilst balancing the need to protect the Council's money received from 1-4-1 receipts, which requires a certain amount of money to be spent by associated deadlines to be able to retain money that would otherwise have to be paid to the Government.

Although there will be a significant return on the general fund it is important to note that as highlighted above, there will be additional costs incurred by HRA and it is therefore proposed to consult the Tenants' Panel to ensure that they endorse this position.

It is proposed that the scheme be staffed full time during typical office hours Monday to Friday with flexible staffing provision available out of hours and at weekends and bank holidays.

### **Risk**

There are risks associated with the proposals:

**Reputational** – there may be challenge from the local community based on a perception that a temporary accommodation unit will bring problems to the area, such as anti-social behaviour.

The scheme will be well monitored and managed and as such is unlikely to have an adverse impact on the local community. Use of accommodation elsewhere in the district has demonstrated that it is preferable for temporary placements to be within managed facilities rather than relying on alternative properties. Consultation has been undertaken with Frinton and Walton Town Council and the local Ward member with both offering support for the scheme providing the accommodation is used mainly for families which will be the case.

**Financial** – The primary risk associated with the proposals is that any future change in demand or supply of temporary accommodation could result in periods of significant void losses within Spendells House, which could not be offset as the costs would be largely fixed.

As set out further on in this report, the temporary accommodation options currently used have been ordered based on the cost by night, with the use of the Council's own housing stock and the use of the private rented sector being the most favourable options. Although there are limits on the level of supply that these two options provide, supply could increase in the future.

Conversely to the above, demand for temporary accommodation could reduce in future years, which again could result in significant void periods.

Modelling has therefore been undertaken that indicates that if supply of the Council's housing stock or within the private sector increased by 40% Spendells would still be fully utilised. The same modelling also indicates that demand would have to fall by at least 40% before significant void losses were incurred within Spendells House as other more expensive options would be reduced first.

However, it must be stated that, given the Governments continued commitment to welfare reforms and the slow pace of adding affordable homes in the district, that the probability of this scenario occurring in the next 5 years is low. Also the risk can be mitigated to an extent by cost reductions, for example by using fixed term staffing contracts for an initial period while the success of the project is determined.

Taking the above into account along with an estimated payback period of just over 5 years the risks of converting and operating Spendells House as temporary accommodation units is relatively low and considered to present value for money compared with the more expensive options such as bed and breakfast.

**Continued Need** - Research in this area concludes that the need for temporary accommodation is unlikely to reduce. A report published by Shelter in August 2017 entitled *Homelessness projections: Core homelessness in Great Britain* suggested that if current policies remain unchanged the most acute forms of homelessness are likely to continue rising.

During the week commencing 7<sup>th</sup> October 2019 there were 77 properties for rent within a five mile radius of Clacton and 35 around the Harwich area. To put those figures into context during that week there were 337 open homelessness applications. Of those applications 99 were currently homeless and 77 were threatened with homelessness in the next 56 days. Rising rents in this area, with a forecast three per cent rise every year for the next five years, combined with landlords selling property means that supply will become more restricted. An article in "*This is Money*" published in May 2019 reported on a wide ranging study of almost 2,500 landlords by the Residential Landlords Association. It found that a quarter of private landlords are looking to sell at least one property over the next year.

**Refusal** – there is a risk that the offer of temporary accommodation at Spendells house is refused by some applicants. For the majority the offer will be suitable and once an offer is made the local authority is under no obligation to keep the offer open, or to make a further offer of interim accommodation unless there is a change in the applicant's circumstances that make the offer of Spendells house unsuitable.

Overall officers are confident that the scheme will be fully utilised and without a major policy shift or increase in affordable housing supply it appears unlikely that the need for temporary accommodation will reduce to an extent that would adversely affect the overall viability of the proposals.

## LEGAL

Under Part VII of the 1996 Housing Act (as amended) the Council has a duty to provide temporary accommodation to households who are homeless and have an apparent 'priority need' for accommodation according to the legislation.

The Homelessness (Suitability of Accommodation) (England) Order 2003 states that it is unlawful for councils to accommodate families with children in Bed and Breakfast (or accommodation with shared facilities) for longer than six weeks. In 2018/19 we had 31 families who were placed for over six weeks in bed and breakfast type accommodation. The Spendells scheme would not be regarded as Bed and Breakfast because the Order does not include accommodation which is owned or managed by the local authority, a registered social landlord, or a voluntary organisation.

Provisions within the Housing Act 1985, sections 9 and 56, allow for the Council to designate the building as a hostel for the provision of housing accommodation and therefore, accounted for within the HRA. This means that conversion works, repair and maintenance costs can be funding through the HRA and there is no requirement to appropriate the use of the land for alternative purposes.

A planning application will be required to seek a change of use to Sui Generis. Without planning permission the proposals will not be able to proceed. Planning applications for council owned property should be made in consultation with the relevant Portfolio Holder and will be considered at Committee

## OTHER IMPLICATIONS



Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

**Area or Ward affected** – The Ward Member from Walton has been involved in the consultation process and has indicated support for the proposal. Frinton and Walton Town Council have also been consulted on the proposal.

**Equality and Diversity** –

An equality impact assessment has not highlighted any equalities issues other than a benefit to those living with a physical disability.

**PART 3 – SUPPORTING INFORMATION**

**BACKGROUND & VIABILITY ASSESSMENT**

The closure of the Spendells house as a sheltered housing scheme in March 2018 was an inevitable but unfortunate consequence of low demand and occupancy for this type of accommodation outside of town centres. Whilst it has remained empty only basic maintenance and security provision have been in place. Overall the building remains in good condition and provides a good basis for developing a temporary accommodation scheme.

Options that have been explored for the future use of the site have focussed on either outright disposal or re-purposing to provide alternative housing provision.

Interest has been shown by two housing associations for either lease or sale but these options have not progressed beyond initial viewings.

An option was presented by a local charity that provides accommodation for those affected by domestic violence. Discussions with that organisation commenced positively but the costs involved in commissioning and running such a large facility ultimately meant they were unable to commit fully.

The most favourable option sees the Council retaining ownership but changing the use of the site from a sheltered housing scheme to hostel type accommodation to assist with the provision of statutory homeless functions. Both of these purposes involve using the accommodation for housing and fall within the Housing Revenue Account.

Attached to the scheme is a bungalow that used to be the scheme manager's home. That property is still occupied by a tenant although work is ongoing to relocate them to an equivalent property elsewhere in the area when one becomes available. It is proposed that the bungalow, once vacated, will be used for office space and meeting rooms for staff. Hot desks could also be available for visiting officers and other agencies who will be offering support to residents.

The need for council owned temporary accommodation has also arisen due to the need to:

- Mitigate use of B&B and other poorer quality temporary accommodation;
- Rationalise poorer quality facilities currently provided; and
- Increase provision both as result of increased demand, but also because of the national shortage of affordable housing.

People who could be housed in the scheme:

- Unintentionally homeless;
- Intentionally homeless with priority need;
- Decants from council owned property (for example floor/ fire damage);
- Decants from Registered Social Landlords (RSLs) – possible but would have to demonstrate they have exhausted all other options;
- To avoid localised activation of Emergency Plan; and

- Responding to an Emergency Plan incident – for example a serious flooding emergency - rest centres are used in the immediate aftermath and whilst most people go home some may still be in need so offered temporary accommodation.

### Homelessness levels

The council has a statutory duty as the Local Housing Authority to provide assistance to people who are homeless or threatened with homelessness.

The Council has for many years adopted a pro-active preventative approach to reducing homelessness. However, the last five years has seen a national increase in homelessness that has also been the experience in Tendring.

Year	Homelessness applications
2013/14	87
2014/15	137
2015/16	159
2016/17	288
2017/18	308

The Homelessness Reduction Act (HRA18) came into force in April 2018 with the aim of reducing homelessness. The act increased duties on local authorities to assess an applicant's needs and to prevent and relieve homelessness by:

- Improving advice and information about homelessness and the prevention of homelessness;
- Extending the period of threatened with homelessness from 28 days to 56 days. An applicant is now assessed as threatened with homelessness if they are likely to become homeless within 56 days.
- Introducing new duties to prevent and relieve homelessness for all eligible people, regardless of priority need and intentionality.
- Introducing assessments and personalised housing plans, setting out the actions housing authorities and individuals will take to secure accommodation.
- Encouraging public bodies to work together to prevent and relieve homelessness through a duty to refer.

Despite the extra advice and duties brought in by the Homelessness Reduction Act, the lack of affordable housing and private rented properties mean that the use of temporary accommodation has increased.

In 2018/19 the council received 704 homelessness applications which is a significant increase from previous years. The main reason for this is the fact that the definition of threatened homelessness is now triggered at 56 days as opposed to 28 days.

For each homelessness application the Councils duty is to assess each applicant's situation and provide a personal housing plan if they are homeless or threatened with homelessness. The aim of the plan is to help keep the person in their current home or support them to find somewhere else to live. Officers work with the person for up to eight weeks if they're threatened with homelessness and for a further eight weeks once they are

homeless. If the person is still homeless after eight weeks, the council will then make a main duty decision which will determine what further help we have to provide. This decision is based on whether they have a priority need and the reasons for which they have become homeless.

The council has a duty to provide temporary accommodation at the point in which we have reason to believe that an applicant may be homeless, eligible for assistance and has a priority need. This accommodation is provided until they either find settled accommodation or a main duty decision is made. If the main duty decision is that a person has a priority need and is homeless through no fault of their own, then they will have to stay in temporary accommodation until longer-term housing is secured.

In 2018/19 232 households were placed in emergency accommodation with the average time spent in the accommodation being 5.2 weeks. The longest period of time a household had to stay in emergency accommodation was 17.8 weeks.

Year	No. of placements	Average no. of days in placement
2013/14	44	17
2014/15	57	24
2015/16	91	23
2016/17	154	24
2017/18	182	31
2018/19	232	37

In previous years it was possible to assist applicants to find alternative accommodation before they actually became homeless and therefore not so many were placed in temporary accommodation.

It is becoming more difficult to gain access to the private rented sector as a significant number of landlords are refusing to house people on benefits or require guarantors and rent in advance. This makes preventing people becoming homeless by arranging alternative accommodation in the private rented sector challenging. The impact of welfare reform changes, the freezing of the Local Housing Allowance rates and the roll-out of Universal Credit are seeing more people threatened with homelessness.

### **Current temporary accommodation provision**

The Council's spending on using private sector properties for temporary accommodation provision has been rising steadily over recent years. The Council does not have any control over the number of households presenting as homeless and has a statutory duty to provide temporary accommodation in many cases. This type of accommodation is usually provided via local bed and breakfast establishments and through block booking arrangements with two property owners in Clacton. In 2018/19 the Council spent £459,265 on temporary accommodation, which is met through the General Fund.

One of the block booking arrangements provides 14 rooms and costs £184,000 per annum. This accommodation is mainly for single people/couples and only has 2 family rooms. We are therefore still reliant on bed and breakfast establishments to provide temporary accommodation for families. This block booking arrangement is located in central Clacton

and as such having an offer outside of Clacton for some client groups may be very advantageous e.g. someone fleeing domestic violence.

Introducing a council owned unit that can provide up to 30 rooms means that this arrangement and other nightly bed and breakfast bookings can be reviewed and potentially mitigated.

The table below shows the various scenarios that could be followed when assisting homeless households. The first two rows of the table show households assisted with accommodation before the need to be placed in temporary accommodation, this being the ideal option.

	Accommodation type	No. of placements in 2018/19	Nightly cost	Net cost to the council after housing benefit subsidy
1	No temporary accommodation - Council/RSL property offered	30	£0	£0
2	No temporary accommodation - Private Rented Accommodation found	136	£0	£0
3	Temporary accommodation - Spendells House	n/a	£23.82	£11.69 per night
4	Temporary accommodation - Blocked booked HMO for single people	26	£25	£12.87 per night
5	Temporary accommodation - Blocked booked Hostel with mixed rooms	118	£36	£23.87 per night
6	Temporary accommodation – Bed & Breakfast	88	£65	£50.15 per night

The third row shows how Spendells House would compare to our current options for temporary accommodation in rows four, five and six. Whilst there is still a nightly cost associated with Spendells, it is lower than the other options.

The long term housing outcomes for all households remains the same, with the use of private rented accommodation being the main option. The cost of this to the council is a one off payment between £0 - £1825 to assist with rent in advance and a deposit where needed. Often this can be funded through the Discretionary Housing Payment fund and therefore at no cost to the Council.

### **Spendells House**

Spendells already has a layout that lends itself to the provision of temporary accommodation and officers felt this option had to be explored. Each room has its own cooking facilities and a toilet and basin. Additional communal showers will need to be provided as the current shared provision will not be sufficient bearing in mind some rooms will be occupied by families rather than individuals as was the case when it was in use as

sheltered housing. Plans have been drawn up that enable additional showers to be provided without reducing the number of accommodation rooms.

In order to provide temporary accommodation for those with disabilities it is proposed to convert the ground floor lounge into an accommodation room with self-contained level access shower. Currently such provision is only available in large chain hotels in Clacton.

Heating in the scheme is currently provided via a wet central heating system heating via gas boilers. The proposal is to replace the central heating system with efficient point of use electric heaters throughout for both space and water heating. This will improve efficiency and reduce long term maintenance costs as well as lowering carbon emissions. It is also believed that the current system having been drained and unused for a long period will be troublesome and expensive to recommission.

Included in the costs is an upgrade of the electricity supply to the building to enable the installation of point of use water and electrical heating that will place additional loading on the supply.

Various improvements will be made to flooring and the fit out within each flat to ensure durability and ease of maintenance.

Whilst the property will be retained within the council's housing stock, planning permission is required to change the use to hostel type temporary accommodation and a planning application will be required. This will seek a change for use to Sui Generis and informal discussions with the Planning Service indicate that this should be a straightforward process.

<b>BACKGROUND PAPERS FOR THE DECISION</b>
None

**APPENDICES**

**Appendix A – Estimated Annual Operating Cost of Spendells as a Temporary Housing Unit**

**Appendix B – Comparison of Estimated Annual Costs Across the Various Temporary Housing Options**





## Estimated Annual Operating Costs of Spendells as a Temporary Housing Unit

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	£	£	£	£	£	£
<b>General Fund Items</b>		<i>Annualised</i>				
Staffing Costs	74,078	75,559	77,070	78,612	80,184	81,788
Non-Staffing Costs	127,767	132,878	138,193	143,720	149,469	155,448
Less: Income from Housing Benefit	(132,867)	(132,867)	(132,867)	(132,867)	(132,867)	(132,867)
<b>Total GF Net Cost</b>	<b>68,978</b>	<b>75,570</b>	<b>82,396</b>	<b>89,465</b>	<b>96,786</b>	<b>104,369</b>
<b>HRA Costs</b>						
Repairs and Maintenance	29,640	30,233	30,837	31,454	32,083	32,725
Major Repairs Allowance	28,410	28,978	29,558	30,149	30,752	31,367
Insurance Premiums	936	955	974	993	1,013	1,033
<b>Total HRA Cost</b>	<b>58,986</b>	<b>60,166</b>	<b>61,369</b>	<b>62,596</b>	<b>63,848</b>	<b>65,125</b>
<b>Total Net Cost to TDC</b>	<b>127,964</b>	<b>135,736</b>	<b>143,765</b>	<b>152,062</b>	<b>160,635</b>	<b>169,494</b>

*Prices have been subject to inflationary assumptions across years where appropriate*

**Total Homelessness Base Budget 2020/21** **187,030** (excl. employee costs)

## Comparison of Annual Net Costs Across the Various Temporary Housing Options

	A Outturn 2019/20	B Outturn 2019/20	C 2020/21	D 2021/22	E Estimates 2022/23	F 2023/24	G 2024/25
	£	£	£	£	£	£	£
		<i>As column A but incl. notional impact if Spendells had been operational in 2019/20</i>					
<b>Existing Temporary Accomm. Provision</b>							
<b>Temporary Accommodation</b>							
Spendells House	0	127,964	135,736	143,765	152,062	160,635	169,494
Block Booked HMO - Single People	28,178	28,178	29,023	29,894	30,791	31,715	32,666
Block Booked HMO - Mixed Accommodation	128,602	128,602	138,004	149,734	162,462	176,271	191,254
Bed & Breakfast	313,492	10,000	10,300	10,609	10,927	11,255	11,593
<b>Total Cost</b>	<b>470,272</b>	<b>294,744</b>	<b>313,063</b>	<b>334,003</b>	<b>356,242</b>	<b>379,875</b>	<b>405,007</b>
<b>Of Which:</b>							
<b>General Fund</b>	<b>470,272</b>	<b>235,758</b>	<b>252,897</b>	<b>272,634</b>	<b>293,645</b>	<b>316,027</b>	<b>339,882</b>
<b>HRA</b>		<b>58,986</b>	<b>60,166</b>	<b>61,369</b>	<b>62,596</b>	<b>63,848</b>	<b>65,125</b>
<b>Saving from Current Position (Column A)</b>		(175,528)	(157,209)	(136,269)	(114,030)	(90,397)	(65,265)

The above figures are based on average family size and estimated length of stay in temporary accommodation

The figures above include either contractual inflation or a general inflationary uplift where relevant

Total Estimated Investment	<b>£600,000</b>	
Average Savings	<b>£112,634</b>	
Return on Investment	<b>19%</b>	
Payback	<b>5.33</b>	<b>Years</b>